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EDITORIAL

From the time of its inception the *British Journal of Delinquency* has openly nourished the ambition to give as full representation as possible to the various facets of criminological science. The paramount necessity of multi-disciplined approach to crime cannot however be met by concentrating solely on the now widely accepted forms of scientific discipline. Psychology, psychiatry, or even sociology cannot have the last word in the disposal of offenders, but must always stand corrected by the social needs not to mention the prejudices of the community at large. It is essential therefore that those social groups which guide, if they do not always control, the penal, ethical and self-preservative urges of society, having searched their own hearts for subjective error, should deliver themselves of their criminological philosophy. In this issue we have made a beginning by publishing an article by Sir Lionel Fox in which the principles and practices of penology are admirably set forth and assessed. Among the many stimulating observations he has to make it is gratifying to find a keen awareness of the ultimate and peculiarly totalitarian dilemma of the penologist. For if, as he maintains, the sentences of the Court must satisfy to some extent the public sense of justice and the doctrine of retribution, and if, as he further holds, the practical application of scientific principles in the disposal of offenders may clash with the principle of the liberty of the subject, we are faced with the not easily soluble problem of steering between social defence and social aggression. Indeed, should the amount of personal interference effected in the name of rehabilitation continue to increase at the present rate, the time may well come when the most ardent supporters of the principle of 'purging an offence through punishment' may be found amidst the ranks of hardened criminals themselves.

In the meantime it is interesting to observe how far the United Nations

has progressed in its endeavours to promote international co-operation in the prevention of crime and the treatment of offenders. That considerable progress has been made in developing liaison between different countries and the new central organization is evident from the report of Manuel Lopez-Rey, published in this issue. It is already advanced enough to justify some stock-taking on the part of the U.N. Division of Social Welfare and its Social Defence Section. To co-ordinate policies successfully it is necessary to have some fundamental principles to co-ordinate. The chief obstacles to an effective policy of prevention and treatment of crime are the absence of adequate information regarding its effective causes and absence of national organizations capable of undertaking the training of workers who engage in criminological research or staff the institutions or clinics, open and closed, devoted to the disposal (treatment) of criminals. The most perfect international organizations cannot conceal either the poverty of research activities or the scarcity of workers capable of carrying them out; though they may well serve to indicate the directions in which research is most urgently required.

It is also clear from the reference to the 'ever-narrowing limitations of the United Nations Budget' that little practical help in this direction can be expected from international sources and that, if criminology is to advance, some central body must be organized in each country having functions similar to those exercised in organic medicine by Medical Research Councils.

That a central organization for the co-ordination of training schemes is also essential to the progress of criminology can scarcely be disputed, although the tradition that any scientific worker who cares to apply his particular methods to the study of delinquency is *ipso facto* a trained delinquency worker, dies hard. Important as it is to cultivate team work in the investigation of criminal behaviour (and incidentally an excellent illustration of the uses of team-observation is to be found in the paper published in this issue by Dr. Ogden describing a typological survey of Borstal cases) it is even more essential that every research worker should have a lengthy and close acquaintance with the clinical aspects of delinquency. Here again, it is essential to create a central organization having powers to organize official training courses in criminology and to grant a special diploma such as is required of specialists in most scientific disciplines. Although these are clearly matters for internal organization on a national basis, the U.N. Section of Social Defence could add greatly to the force of its international propaganda by drawing the attention of the governments concerned to the urgent necessity of setting their houses in order in these respects. The ultimate reward in the shape of fruitful researches and well-directed policies would more than repay the arduous effort required.

A BORSTAL TYPOLOGICAL SURVEY (CAMP HILL) ¹

By D. A. OGDEN (PORTLAND)

INTRODUCTION

In early 1948 the Prison Commissioners posted me to be Medical Officer at H. M. Borstal Institution, Camp Hill, and the Medical Director at that time, Dr. H. T. P. Young, suggested to me that since this was the beginning of extension of full time Medical Service to Borstal work as part of the rebuilding following the war, I should bear in mind the possibility of research.

After some months I was impressed with the fact that in very many cases the performance of the lads who had been discharged after training was either markedly better or markedly worse than had been anticipated by those responsible for training. In other words, assessment of the degree of success in training was clearly very difficult when based on an individual's personal opinion of the lad to be discharged. It seemed advisable to me, therefore, to consider some form of research which would determine whether a more accurate prediction of liability to failure could be made, early enough for action to be taken to improve the outlook.

Clearly a prediction could be made before lads so much as arrived at the training Borstal, based on previous history, but I came to the conclusion that a prediction might be more accurate if it could be based on personal observation by a *group* of people responsible for the training of the lads. Since I have always believed that the treatment of offenders should be through a closely integrated partnership between the administrative and medical sides, it seemed to me that any such research should be carried out neither by the administrative nor the medical side separately, but in unison. The matter was then discussed with the Governor, Mr. H. J. Taylor, now Assistant Commissioner, who gave the idea his most welcome support.

It then became necessary to consider the form in which the research should be carried out and I concluded that it would be necessary to set up a series of types into which lads would fit—and to follow the progress of these types. The next problem was to decide what form of types should be used. Clearly a purely medical classification would defeat the purpose of a combined administrative and medical approach—and it seemed to me that the only system which could combine medical knowledge with the intimate knowledge of the individual lad attained by the Governor, and in greater

¹ I am indebted to the Prison Commissioners for permission to publish this article.

degree by the Housemasters, would be one based on the reaction of each lad to the circumstances of Borstal Training. It was felt that the varying reaction to all the features of Borstal Training would be noted and witnessed by various members of the staff, and the sum total would provide material to decide to which type each lad should be assigned. For example, such an assessment would include House Officer's opinions as to a lad's reaction to playing on a losing side in games, the Medical Officer's knowledge of his conduct when reporting sick and many such varied views of each individual.

It became necessary then to decide on the actual typological form of the research, and it was decided to keep the form as practicable as possible, rather than theoretical. Dr. J. J. Landers, Principal Medical Officer, was at that time in post in the vicinity and I consulted with him as to the exact form of the types. I would like to put on record my appreciation of the great assistance given by him at this early stage of the research. Some years previously he had been in turn Medical Officer and Governor of an establishment containing Borstal trainees, and his experience was most valuable in the gradual way in which the final types were evolved. We started with a comparatively large number and gradually contracted the number down to a level which in our combined experience was the minimum which would cover all the varying reactions to Borstal Training, and the final result was as follows:

Group A. Inmates considered to exhibit mental or physical abnormalities sufficient to affect normal reaction to Borstal Training.

Group B. All other inmates—subdivided into 9 types, together with a 10th type termed unclassified. This latter type was felt to be essential to cover those inmates who did not produce a dominant reaction of any particular type.²

A further meeting was held with the administrative side and the research was given the title, 'The Camp Hill Typological Survey'. It was decided to use the system on 250 lads, to be drawn equally from all houses in the Institution and to be taken in order from the house lists so that there would be no unconscious bias in selecting which lads should be included. It was also decided to include certain information about each lad, namely age on conviction, number of previous convictions, whether previously at Approved School, a physical and mental assessment, and an opinion of home influence. The first three points are clear, but the latter two will be explained in detail.

(a) Physical and Mental Assessment. This was reduced to a profile representing Physique, Hearing, Eyes, Mental Ability and Mental Stability. All these features were assessed at I for average, II for below average and III for markedly below average.

² Appendix A gives full details of the types.

(b) *Home Influence*. Four grades were selected.

1. Good home—no evidence of bad influence or example.
2. Fair home—poor parental control but not obviously bad influence.
3. Split home—some years of separation of parents resulting from death, divorce, legal separation or abandonment by father or mother.
4. Bad home—from all reports available an obviously bad influence or at least gross neglect.

These assessments were made after consideration of reports from police and social worker visitors to the home, from studying correspondence between the lad and his family and school and Probation Service reports. No weight was given to financial matters, the assessment being made on the degree of home influence compared to what should have been expected from the particular family in question.

THE FIELD WORK

By mid-summer 1948 all preparatory work had been completed, including careful discussions between all concerned to make certain that each person had the same view as to what was meant by the definitions of each type, and the actual field work started.

The procedure was as follows:

As many as possible of the nine members of the staff taking part attended a weekly evening session, with a minimum number of four. As Medical Officer I attended all meetings, and usually the Governor, Deputy Governor and at least three Housemasters were present.

In turn the Housemasters presented a detailed picture of the lad under consideration, including his past history and ending with his reaction to Borstal Training and giving an opinion as to which type he should be considered. General discussion then followed, in which all views of the lad were expressed. Usually agreement was reached regarding the type within half-an-hour. If agreement could not be reached, the case was deferred three months to be reconsidered then, and in most cases further observation had disclosed information leading to a definite decision concerning the type. If disagreement was still in evidence, the lad was placed in Type 10, the Unclassified. This type was also used occasionally for any lad who did not appear to display the picture of any of the other types. Thus there was no temptation to try to fit a doubtful case into any type.

From time to time a lad would show evidence of characteristics of more than one type—but it was usually possible to decide on the most *dominant* feature.

The view of the Medical Officer was equal only to one vote, except that I had an overriding vote if I advised that a lad should be placed in Group A,

which, it will be recalled, was for inmates considered to exhibit mental or physical abnormalities sufficient to affect normal reaction to Borstal Training.

The field work was completed by late 1949, by which time, owing to changes of staff, 14 people had been concerned. When a new member of the staff arrived it was arranged that he would attend as an observer at several sessions until he understood fully the various types.³

THE FOLLOW-UP REGISTER

It is the procedure of the Borstal After-Care Association to forward details of the performance of lads reconvicted after leaving Borstal Institutions, and it was arranged that I should be supplied with these reports until all lads in the survey had been discharged four years.

In order to maintain the register accurately I have also visited the Borstal After-Care offices yearly to check the histories of all the 250 lads in the survey, and I am much indebted to the Director (Mr. F. Foster) for his help. Recorded on the register are all lads who have failed, together with date of release, date of reconviction, offence and sentence. Further reconvictions have been treated in a similar way. This has involved a considerable amount of recording over the four years but the result is that information gained at the field work added to information on the register allows a detailed study of each of the 250 lads included.

At the time of preparing this paper the four-year follow-up period is complete and it is therefore possible to pass on to a study of the results.

EXAMINATION OF THE FIGURES

The findings of the survey are recorded in two parts.

Appendix B. Records all material in the Register, with the exception of the physical assessment profile, analysis of offences and time before reconviction. The findings in all these were uniformly scattered between the types.

Appendix C. This shows percentage reconvictions in all types in solid lines and percentage reconvictions more than once in broken lines. The graph is prepared to cover the four years after release.

Appendix B. It will be noted that there is considerable variation between highest and lowest figures as follows:

³ The following members of the staff took part in the field work:— Governors: F. H. Taylor, G. Macfarlane. Medical Officer: D. A. Ogden. Deputy Governors: J. Hayward, W. R. B. Noall. Assistant Governors: L. Simpson, E. Towndrow, B. Howden, N. Bishop, B. Fletcher, K. Gibson. Principal Officers (Acting Housemasters): P.O. Hayward, P.O. Greenwood, P.O. Cooper.

	<i>Average Age on Conviction</i>	<i>Average No. of Previous Convictions</i>	<i>Percentage Home Office Schools</i>	<i>Average Home Influence</i>	<i>Average Split Homes</i>	<i>Average Mental Ability</i>	<i>Average Mental Stability</i>
Highest	17.6	5.3	100	3.2	36.3	1.07	1.20
Lowest	16.6	2.7	60	2.1	0	1.55	2.33

Since in Home Influence the scale can only vary from 1 to 4 and in Mental Ability and Stability from 1 to 3, differences of 0.5 are quite large in reality. These figures will be referred to again later.

APPENDIX C.

One reconviction figures. The percentage to be reconvicted once of the whole original 250 is 65 and it will be immediately apparent from studying the graph that failures have *not* come evenly from all types. The worst reconviction rate is 89 per cent. and the best is 44, which is almost exactly half, and statistical examination shows this to be outside the realm of chance.

Two types, namely 10 and Group A are near the average, six types are above and three are below.

Considering each type in turn, and noting salient features :

Type 1. 52 per cent. The second lowest figure. There was a steady rise the first three years and little change in the fourth year.

Type 2. 43 per cent. The lowest figure. No deterioration over the past two years.

Type 3. 72 per cent. No change over the past two years.

Type 4. 89 per cent. The highest figure. Making allowance for the likelihood that some may have committed offences without detection, this must be very nearly a total failure of the type.

Type 5. 77 per cent. More than 60 per cent. by end of the first year, but a slow deterioration in the last three.

Type 6. 80 per cent. The type had reached this high figure at the end of the first year, but there was no change over the next three years.

Type 7. 60 per cent. No change in the last year.

Type 8. 88 per cent. The second highest figure. 77 per cent. by end of first year.

Type 9. 81 per cent. Third highest figure.

Type 10. 68 per cent. No change in last year.

Group A. 69 per cent. Just above the average for the whole survey, but six types were worse and only four better.

More than one reconviction figures. If this second part of the graph had shown little change compared with the first part it would not be profitable to consider the matter further—but in fact the change is very marked.

Percentages given are percentages of the *whole* of the original type, and not percentages of those who have been reconvicted once.

For the whole survey the percentage is 32. This is very nearly exactly half the figure for one reconviction. In other words, in each 100 of the sample 65 were reconvicted once, but only 32.5 were reconvicted more than once. (I should note here that of the original 250, a wastage of 10 occurred from transfers, medical transfers and one accidental death by drowning—so that percentages are of 240.)

Furthermore, the worst two figures in this second graph are 55 per cent. and 54 per cent., while the best are two types at 20 per cent. Thus there is nearly a three times factor between the best two and worst two, which is a greater difference than on the first reconviction rate.

Once more taking the types in turn, and giving an approximate rate of improvement:

Type 1. 23 per cent. Second lowest as on first graph. Improvement by more than half.

Type 2. 20 per cent. Lowest as on first graph. Improvement by more than half.

Type 3. 54 per cent. Second highest. Improvement by less than one third.

Type 4. 26 per cent. Improvement by nearly three quarters.

Type 5. 46 per cent. Improvement by nearly one half.

Type 6. 20 per cent. Equal best. Improvement by three quarters.

Type 7. 26 per cent. Improvement by half.

Type 8. 55 per cent. The highest figure. Improvement by just over one quarter.

Type 9. 45 per cent. Improvement by just under half.

Type 10. 37 per cent. Improvement by just under half.

Group A. 30 per cent. Improvement by more than half.

ANALYSIS OF RESULTS

It is now possible to examine each type considering points in Appendices B and C.

Type 1. This shows the second best result in both first and second reconviction rate, the second youngest age level, a low percentage of split homes, moderate mental ability, but the second best mental stability figure. The type has clearly a good long-term prospect.

Type 2. This shows the best result in first and second reconvictions. It is noticeable that it also shows the most satisfactory home influence

figure. With only 20 per cent. showing signs of recidivism at the end of four years, the type appears to respond very well to Borstal Training.

- Type 3. This shows sixth place on first reconvictions, but has risen to second worst on further reconvictions, when 54 per cent. is reached. Thus more than half appeared heading for recidivism. It shows the youngest age group and mental stability is poor.
- Type 4. This shows the worst failure rate at first reconvictions but a most striking recovery to only 26 per cent. on further reconvictions. It is notable that the home influence is one of the best, and there were no split homes. This type appears to be well worth a continuation of thorough after-care even when once reconvicted.
- Type 5. This type deteriorated from fifth to third highest. Relatively few came from Home Office Schools. It had a high percentage of split homes, a good mental ability figure and fair mental stability figure. The deterioration suggests that this type is a problem for after-care following one reconviction.
- Type 6. This type showed fourth worst position on first reconvictions but recovered very well to equal best on further reconvictions. It is very striking that by the end of one year 80 per cent. had been reconvicted, but by the end of four years only 20 per cent. had been reconvicted more than once. The bad early failure rate clearly should not deter after-care following one reconviction. The type showed a high previous-conviction rate, a bad home influence figure but no split homes and a good mental ability figure. The aggressive is shown therefore to be a poor immediate prospect, but a good long-term one.
- Type 7. This type shows third best result in each graph. It shows a bad home influence figure, the worst split home figure, but the highest mental ability and good mental stability. The result shows that, in spite of considerable handicaps, the type responds to training.
- Type 8. This type is second worst on first reconviction and worst on more than one reconviction. It shows the oldest age group, 100 per cent. from Home Office Schools, poor home influence figure, the highest incidence of split homes, fair mental ability and the worst mental stability. The picture is very forbidding and clearly training has virtually no effect on them.
- Type 9. This type shows third worst position on one reconviction and fourth on second reconvictions. It shows most previous convictions, the second best home influence, no split homes, a good mental ability figure and the highest mental stability figure. Thus, with much in

its favour, the performance is bad—fully justifying the description of the type.

Type 10. This type shows fourth best position in first reconvictions but deteriorates to fifth worst on second reconvictions. It shows a high figure for split homes, the lowest mental ability and fair mental stability. Within this type appeared a small sub-type which became known as the 'Genuine Grievance Cases'. These all had been treated very unfairly or harshly in the past and the outlook proved very bad. Clearly inability to set a lad in one of the types is a bad sign—and the results suggest that redoubled efforts should be made with such cases.

Group A. The results in this group are remarkable. Just over the average were reconvicted once, but a marked improvement was shown by second reconvictions at only 30 per cent. It will be remembered that these lads were considered to exhibit mental or physical abnormalities sufficient to affect normal reaction to Borstal Training.

The actual diagnoses in the Group were:

Schizoid personalities . . .	6	Epileptics	1
Borderline mental defectives	5	Homosexuals	3
Psychopathic personalities .	3	Inferiority complex . . .	3
Hysterical personalities . .	3	(Physical defects)	
Psychoneurotics	3	Anti-authority complex .	2
Anxiety states	3	Other sex disturbances . .	1

(One certified insane and one mentally deficient after release.)

I think the performance of this Group illustrates that such difficult lads, who often cause considerable difficulties in a training unit and take up much time, can not only be handled by a combined medical and administrative policy, but have a remarkably good long-term prospect.

CONCLUSIONS

In considering what general conclusions can be drawn from these findings I am very conscious that allowance must be made for the operation of chance, especially as the number of lads in two of the types is markedly less than the others, but Appendix D gives a statistical examination of the figures prepared by Mr. N. Bishop, one of the original field workers, and this shows that there is significance everywhere between best and worst figures.

I think, therefore, the following conclusions can be drawn:

(a) Confirmation of certain often repeated opinions.

1. That a large number of lads who fail after Borstal Training do so only once and then cease to be delinquent.
 2. That split homes or homes of bad influence certainly do encourage delinquency of chronic kind.
- (b) Evidence is clear that a low level of mental stability is a bad augury. Thus the two types with lowest stability failed at the worst level on first reconviction.
- (c) Age on conviction appears to have little significance. The oldest type produced the worst result, but the youngest type were second worst.
- (d) I consider that the survey shows that inmates can be placed into a series of types provided composite opinion, including medical, is used instead of the opinion of the individual. This assessment should not be made earlier than six months after reception of the inmate.
- (e) I consider that this assessment allows a prediction for the future which can be useful first to those engaged in training, and later those engaged in after-care. Taking first the predictions useful for those engaged in training:
1. The survey shows after six months' training certain types which are unlikely to respond, while there is still time to consider changes or modification in their training.
 2. The survey shows that some types which appear very troublesome during training and are thought to be likely to fail are in fact a good long-term prospect.
 3. Conversely the survey shows that certain types which cause little trouble in training are a poor long-term prospect.
 4. The survey shows that it is a bad omen if those engaged on the assessment cannot decide what the dominant reaction is. I refer here to type 10, the unclassified, and would again mention that in this type a small sub-type appeared, later called the 'Genuine Grievance Cases'. The title is self-explanatory, and the long-term results were bad. Clearly redoubled efforts are required when these 'unclassified' lads are discovered.
 5. The survey shows that those inmates who are considered to be 'odd' and who are always a source of anxiety and trouble in an Institution should not be considered untrainable. I feel it should again be recorded how well Group A results turned out in the long run, and how encouraged I have been by this particular result to continue and develop further the close medical and administrative handling of these problems.

Taking next predictions useful to those engaged in after-care:

1. The survey shows how wise it is to continue after-care even when one reconviction has taken place after Borstal Training, since so many recover.
2. The survey shows that some types which fail badly and early are a particularly good long-term prospect under after-care.
3. The survey shows that some types need particular attention early, and some late after discharge.

I would therefore summarize my conclusions by saying that the survey demonstrates the places where the maximum efforts are needed and where modifications of training are required, but I would like to stress that it should in no way replace individual attention—it should supplement that vital approach.

Appendix A. TYPES

Group A. Inmates considered to exhibit physical or mental abnormalities sufficient to affect normal reaction to Borstal Training.

Group B. All other inmates.

1. *Adolescent*. To include the adolescent immature, and the adolescent adventurous—the main feature is immaturity. They have not yet learned to control their desires to fit in with society's demands. Impatient, cannot wait and want results at once and without much effort. Response to training and prognosis should be good.
2. *Emotionally Unstable*. They are quick in emotional reaction; no deliberation, they act first and think afterwards. Usually poor emotional control.
3. *Submissive Type*. Suggestible, easily led and influenced by more aggressive companions. Weak characters with little ambition or initiative.
4. *Shiftless Type*. They are pleasure-loving, and their energies are mainly directed in its pursuit; to them other things are not so important. Fond of personal comfort; few thoughts for their future career. The type which sets out to be as comfortable as possible in Borstal but gain nothing from it.
5. *Egocentric Type*. Everything centres on themselves; they are usually selfish, and nobody else matters. Different from Type 4 in that they have more drive and if necessary would accept personal discomfort.
6. *Aggressive Type*. They deliberately decide on an aggressive way of life. They are cool, inconsiderate, not lacking in courage, and wish to be considered tough. Unlike the psychopath, they are consciously aggressive.
7. *Aggressive in reaction to inferiority feelings*. They are often sensitive

and touchy, and the aggression is an outward defence system. They often over-compensate for the inner inferiority feelings.

8. *Hysterical Swindler Type*. They are self-deceptive, inclined to dramatize and to make efforts to attract attention or sympathy. They feel a need to bolster up the ego, but they are not true neurotics.
9. *Unethical Type*. They are the professional criminals, who decide on crime as a career; they are fully aware of the risks and take them. To them crime is a gamble and they feel they can win. Usually they have ability to do well in other careers if they decide to try. Much less aggressive and usually more intelligent than Type 6.
10. *Unclassified*. They do not fit into any of the other categories.

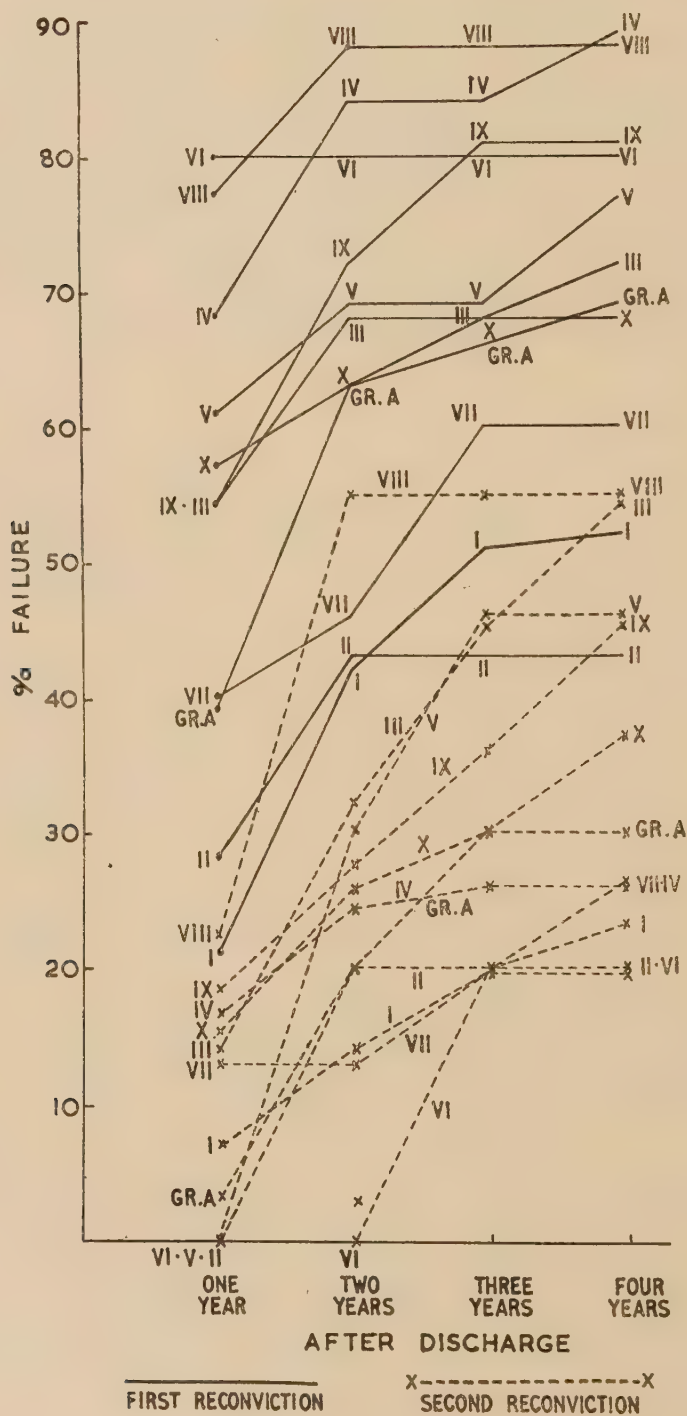
Appendix B

	<i>Average Age on Conviction</i>	<i>Average No. of Previous Convictions</i>	<i>Percentage from Home Office Schools</i>	<i>Average Home Influence</i>	<i>Percentage from Split Homes</i>	<i>Average Mental Ability</i>	<i>Average Mental Stability</i>
Possible Range	16 to 18 Years	Unlimited	0 to 100	1 to 4	0 to 100	1 to 3	1 to 3
Group A	<u>17.4</u>	<u>2.7</u>	<u>60</u>	2.8			
Group B							
Type I	<u>16.7</u>	4.0	80	2.7	8.0	1.44	1.40
Type II	<u>17.1</u>	4.6	84	<u>2.1</u>	15.0	1.33	1.83
Type III	<u>16.6</u>	3.8	82	<u>2.4</u>	10.0	1.41	1.91
Type IV	<u>16.8</u>	4.0	86	2.2	0	1.23	2.07
Type V	17.4	3.7	70	2.6	<u>17.0</u>	1.22	1.77
Type VI	17.0	<u>5.0</u>	<u>100</u>	3.0	0	1.20	1.60
Type VII	17.2	4.0	<u>93</u>	3.0	<u>36.3</u>	1.07	1.85
Type VIII	17.6	3.4	<u>100</u>	2.8	<u>33.3</u>	<u>1.33</u>	<u>2.33</u>
Type IX	<u>17.2</u>	<u>5.3</u>	<u>80</u>	<u>2.2</u>	0	1.20	<u>1.20</u>
Type X	17.3	4.0	86	<u>3.2</u>	<u>21.0</u>	<u>1.55</u>	<u>1.72</u>

NOTES

1. Highest and lowest figures are underlined.
2. Three columns for Group A were not recorded, since the nature of the Group was likely to invalidate comparative results.
3. All percentages for Home Office Schools are high since allocation policy to Camp Hill Institution included such youths deliberately.

Appendix C



Appendix D

NOTES ON SOME OF THE STATISTICAL ASPECTS OF THE CAMP HILL
TYPOLOGICAL SURVEY

TABLE

Type	No. Classified	No. of Reconvictions	No. of Unconvicted	Deviations from Expectation
Gr. A	33	23	10	+ 1.81
1	83	42	41	- 11.35
2	14	6	8	- 3.00
3	22	16	6	+ 1.85
4	19	17	2	- 4.78
5	13	10	3	+ 1.64
7	15	9	6	- 0.64
8	9	8	1	+ 2.21
9	11	9	2	+ 1.93
10	19	13	6	+ 1.78
TOTALS	238	153	85	

$$\chi^2 = 20.83: n = 9: P = < .02.$$

Since this figure for P is better than the conventional .05, the results may be considered to be statistically significant.

The above Table sets out the numbers of lads placed in the various types together with the numbers of those who were subsequently reconvicted. The original total of lads classified was 250. The wastage which has reduced this figure to 238 above is as follows: Six lads were transferred almost immediately after they had been classified and did not therefore receive full Camp Hill training or observation; one was lost through accidental death. The remaining five were classified and put into type 6. Type 6 is not included in the Table above as the number is too small for applying a test of significance.

Types 5, 8 and 9, when the values for expectation of the 'Unconvicted' are computed, yield cells in which the expectation is less than 5. The contribution of these cells to χ^2 is, however, small and significance remains established.

ON THE APPLICATION OF PENOLOGICAL SCIENCE¹

By SIR LIONEL FOX (LONDON)

The title of my address makes the assumption that there is a science of penology, of which I shall take the domain to be, as stated in the O.E.D., 'the prevention and punishment of crime'. I shall also assume that, if it includes prevention, it also includes the aetiology of crime, though some would allot the separate title of criminology to studies in that field. The trend of my inquiry will be to examine how far the findings of this science are being applied, and are capable of being applied, within the framework of existing penal systems, and more particularly in the penal system of this country. I shall not attempt, however, to include juvenile delinquency and the treatment of juveniles.

Before I can further define the scope of the inquiry, I must make certain broad statements, and for brevity I must make them dogmatically, about the purpose and method of penal systems. The purpose of a penal system is to protect society against crime. The method is a general threat of public conviction and punishment against all found guilty of crime who are legally responsible for their criminal acts. This method is commonly described as 'general deterrence', in that it seeks to deter potential offenders at large through fear of the consequences of being found out. These consequences, it may be noted, are in three parts, each involving an element of chance. The offender may or may not be detected; if he is, he may or may not be convicted; if he is convicted, he may be punished within a very wide range of severity.

The difficulties confronting the conception of penology as a science in the normal sense of the term, that is to say a specialized branch of study, working under the usual scientific disciplines of analysis, based on observed facts, and synthesis, leading to the discovery of new truth within its domain, are apparent if one asks what are its findings on the nature and results of this sort of system in general. For in so far as the prevention of crime is part of its field of study, the value of general deterrence as a system suggests many potential fields of inquiry. For instance, the system demonstrably fails in any absolute sense. It certainly does not prevent crime. No system, of course,

¹ An address delivered before the Scientific Group for the Discussion of Delinquency Problems at its sixth meeting on March 25th, 1954.

could be expected to succeed absolutely. But is there any accepted norm of success against which any particular system may be measured? If not, how can we know whether the system is or is not acting with optimum efficiency, and how discover and remedy its deficiencies?

Why, again, do there appear to be relative failures in particular systems or at particular times? Why, for example, has there been in England, since the late war, a remarkable upsurge of serious crime? Is this due to a failure within the penal system and, if so, in what part of the system? Can it be explained in relation to the operation of the penal systems, or otherwise, in other countries? Why, for example, has there been during a similar period no increase of crime on a comparable scale in Scotland?

Again, how far does fear really operate in the prevention of crime? Does that great majority of people who do not commit crime refrain through fear, or through other motives, or through a mixture of motives in which fear may in certain circumstances prove the predominating factor? And, in any case, what is it that the potential offender fears among the various consequences of being found out? Is it primarily detection, leading to the certainty of public trial and possibly conviction, or is it the conviction itself, or is it the possible punishment?

On some of these, and on similar relevant questions, one may certainly find partial and isolated studies, not all of them by penologists, not all of them by scientists, such as Miss Margery Fry's illuminating *Digression on Fear* in her recent book 'Arms of the Law'. But it would be broadly true to say that on none of them are there any scientific findings of penology which could be of general acceptance in practical application.

And is it not possible that in these wider fields of the causes and prevention of crime it is, and may well remain, beyond the scope of the penologist as such to establish scientific truths of general acceptance? For the solution of these problems seems to call not for a synthesis based on facts within a defined field, but almost for a synthesis of human knowledge—of social and economic history, criminal law and practice, moral philosophy, medicine, social and individual psychology, and above all the interpretation of statistics, given that adequate statistics are available—and in general, at any rate on an internationally comparable basis, they are not available.

For these reasons my consideration of penology as an applied science will be limited to that part of its field which is concerned with the purpose and method of punishment as part of the scheme of general deterrence. And here I must emphasize that the threat of punishment is the essence of the system. At the present time, and this will be my principal theme, we have reached a conception of the purpose of punishment which tends to describe not as punishment but as treatment the measures ordered by courts against con-

victed offenders. But it remains true that all such measures are in fact punishments, and this truth lies at the root of many of the difficulties which have to be considered.

Let us look first, as a major difficulty, at the various parts of the machinery which may be concerned in applying the principles of penological science in relation to punishment—the courts which order the measures, the experts whom the courts may call in to advise them on the measures, and those whose duty it is to carry out the measures. I believe it would not be overstating or over-simplifying the position to say that it is not necessarily to be expected, in the case of any given offender, that all three parties will consciously apply the same principle, or that any one of them will know what principle the others are applying. If one may use as an analogy the conception of treatment in the strictly medical sense, and place the court in the position of the general practitioner who must order some treatment for a condition that he cannot diagnose to his own satisfaction, we may say that he may or may not seek a specialist opinion which he may or may not understand or accept, and he may then send the patient to hospital with no more guidance to the hospital staff than that he is to be detained for a specific period.

Now against this broad and possibly over-simplified picture of the general background, let us consider what happens in practice in the application of contemporary scientific thought on the purpose of legal punishment. I shall take this thought as it has been most recently and authoritatively expressed in the findings of the U.N. Seminar held at Brussels in 1951. These findings not only summarized and confirmed a movement of thought on principles which had been gathering weight and influence throughout the present century, but on the authority of a representative and authoritative body of experts in the relevant social and medical scientific disciplines, in criminal law and practice, and in prison administration, they made detailed practical proposals for the application of those principles.

This movement of thought had started from a conception, generally described as ‘the individualization of punishment’, developed from the earlier thought of Beccaria, who stated the principle that the sole justifiable purpose of legal punishment was the protection of society and the prevention of crime, and of Lombroso, of whom it has been said that while the classical jurists invited man to study justice, he invited justice to study man. The conclusion drawn by penology from these foundations was, in summary form, that the sentence of a court should take account not only of the nature and gravity of the offence, but also of the nature and needs of the offender, so that the measures ordered should, within the framework of general deterrence, be such as might best prevent that particular offender from relapsing into crime.

In a very broad sense, that conclusion may be said to have been accepted

in the criminal justice of this, as of other countries, in so far as during the present century it has been made possible for the courts to choose among a variety of measures instead of having to choose simply between different periods of imprisonment of varying severity, such as second division, hard labour, and penal servitude. Thus they may now choose, again turning to the medical analogy, between out-patient and in-patient treatment, with a certain flexibility within each. On the one hand, the conditional discharge or probation without conditions of institutional residence but with such other conditions as the nature of the case requires. On the other hand, probation with conditions of institutional residence, or sentence to a detention centre or to Borstal training if the offender is under 21, or to imprisonment, or corrective training, or preventive detention.

During the same period, the same tendency of thought had led to reconsideration of the method of institutional treatment within the prison, leading to the currently accepted principles of individualization of treatment directed towards the rehabilitation of the offender; that is to say that he should, if possible, leave the prison both willing and able to lead a good and useful life in society, and should have continued out-patient treatment to help him to do so.

These principles were accepted by the Brussels Seminar as the point of departure of its consideration, which was specifically directed to methods of giving them effect, and more particularly to the central problem of how the courts, and those responsible for applying the sentence of the court, are to be advised on the 'nature and needs of the offender' so as to be able to decide on the measure most appropriate to his case. That is to say, again in terms of the medical analogy, how best can the most appropriate treatment be decided, and subsequently regulated, in the light of a complete and scientific diagnosis and prognosis of the case.

What we have to consider is, in effect, how far this medical analogy is valid. The scientific diagnosis predicated at Brussels means the application, by persons with expert training, of one or more of the following types of examination of the offender: biological, social, psychological, and psychiatric. These examinations are intended to give the court knowledge of the offender's physical condition, mental condition, and behaviour in society, to assist it in determining the degree of responsibility and the motivation of the offence, and to lead to an appreciation of all the factors affecting a right decision as to treatment. Equally, they should give to those charged with carrying out the treatment prescribed the information necessary to enable them to adapt it to the individual case. And may I say before I proceed further that in using the words 'degree of responsibility' my intention is to refer solely to offenders who are, under the law as it now stands, legally responsible

for their criminal acts. The question at issue here will be the action of the courts in relation to mental abnormalities which do not affect responsibility in law but raise the issue of what is sometimes described as 'diminished responsibility' as a question of fact.

We have now to consider how this clear and authoritative statement of penological principle may be applicable in the actual framework of criminal justice in this country, and how far in fact it is being applied, first in the prescription of the treatment by the courts, and then in the carrying out of the treatment.

The first point to note is that it is only capable of being applied so far as the law and the administrative practice and machinery of the courts permit. For the courts of summary jurisdiction, the position here is satisfactory. The provisions of the Magistrates Courts Act 1952, which replace those of the Criminal Justice Act 1948, enable these courts to remand a case for medical reports on the physical or mental condition of offenders, and to adjourn a case, after conviction and before sentence, for inquiries to be made so that the court may determine the most suitable method of dealing with the case. This practice is already well established, and there seems to be nothing either in law or in administrative practicability to prevent magistrates' courts from asking for such social or medical examinations as they think fit in any case where they consider it necessary.

In the superior courts the position is less satisfactory. It may be that their inherent powers would enable them legally to adjourn cases after conviction for inquiries in the same way as magistrates' courts, but their organization appears to preclude them from doing so on any systematic basis. And under the present division of the criminal work between the Judges going on circuit three times a year and the Quarter Sessions meeting four times a year, it is difficult to see how, except in London where the arrangements are different, any significant improvement can be looked for. It may be that this disadvantage could be mitigated in respect of cases committed for sentence to quarter sessions since the results of scientific examinations ordered by the magistrates could presumably be made available to the sessions, but I have not explored this avenue, which may well prove to be blocked somewhere.

Apart from this overriding practical difficulty in so important a part of the field, there are certain inherent difficulties affecting the situation. The first is that, while the principles under discussion may be generally accepted by those aware of them, no Judge or magistrate is required to be aware of them, and it would be unwise to assume such awareness, even among such legally qualified persons as Judges, Records, and Stipendiaries. As Dr. R. M. Jackson has said in 'The Machinery of Justice in England', 'there is no more reason to assume that because a person is a lawyer he is knowledgeable about

the treatment of offenders than there is to ascribe such knowledge to a chartered accountant or any other professional man'. And even if a given Judge or magistrate were aware of these penological principles, he would be fully entitled to disagree with them and to act accordingly.

And is there not a further and perhaps more fundamental difficulty which goes to the root of this conception of individualization of treatment, so far at least as the conception may be pressed beyond what, within the present scheme of general deterrence, may seem to be its proper limits? The treatment to be prescribed for the individual is limited by the range of measures which the law prescribes as punishments for criminal offences. I shall deal separately, in this connection, with measures concerned with what I have called 'diminished responsibility'.

But in dealing with legal punishment there are many considerations necessarily affecting the mind of a Judge over and above the personal situation of the convicted offender before him. His primary duty, as he must see it, is not to seek to remake that man's life, but to apply the law in accordance with established tradition and in view of its object, which is the prevention of crime. It may or may not be sufficient, within this framework, to consider simply what is necessary to prevent this offender from offending again, and no more. The sentence must, if it is to be a just sentence—and it is with justice, not with medicine, that we are dealing here—most certainly take account of the nature and needs of the offender, but it must also look to the nature and gravity of the offence. And here we get into deep water, and strong hidden currents.

The sentences of the courts must, on a broad view, satisfy the public sense of justice, and the doctrine of retribution, which I take to mean, in the words of the late Archbishop Temple, 'that the evil-doer should get what he deserves', still lies close to the roots of common feeling in these matters.

A sentence must also, in general, be just in the sense of being equal. There is an unwritten but well understood tradition that an offence of a certain type and gravity warrants a sentence of a certain degree of severity, and while these customary norms may gradually change with time and admit of exceptions in particular cases, the Court of Criminal Appeal will generally act to keep variations within accepted limits. Nor in so acting will the court necessarily take account of the principles of penology. For instance, they have laid it down that, if an offender's specific offence does not warrant a sentence of imprisonment above a certain length, a longer sentence should not be awarded for the purpose of giving him a period of training appropriate to his needs.

And finally, there is general deterrence. It is true that criminal justice no

longer bases itself on the supposition that potential offenders are only deterred by the severity of the punishment inflicted on those who are convicted, though in face of the controversies concerning capital and corporal punishment it would be idle to assert that this supposition has no place in contemporary thought. Nevertheless, the courts must work within their general frame of reference, which requires that their action shall, in its general effect, be such as to deter potential offenders.

To sum up to this point, it appears that in this country the summary courts are in a position, legally and administratively, to apply the Brussels principles, but the superior courts outside London are not, and without a radical reorganization of the whole machinery of justice it is not clear how they could be.

There is a more general difficulty which is inherent in the situation of criminal justice in any country, and that is the absence of any general disposition to consider the treatment of offenders as a science deserving the same attention and knowledge as, shall we say, the law of evidence. This may result in a position in which, again to turn to the analogy of medical treatment, the physician regularly prescribes for various patients a medicine of the content and effect of which he does not profess to have any knowledge. He merely varies the size of the dose.

But even where the court is competent in every sense to prescribe individual treatment, it can do so only within a strictly limited range of measures, which for adults are broadly fines, probation with its flexible range of conditions, and simple imprisonment, or, in the cases of persistent offenders only, those special forms of imprisonment known as corrective training and preventive detention. Except where the case is suitable for probation, it is clear that whatever the diagnosis the scope for variation of treatment is strictly limited.

And, finally, the prescription must in the nature of criminal justice be conditioned by considerations which do not necessarily develop from the diagnosis, and may indeed lead to a quite different view.

May I now interpose a short digression on what I have called 'diminished responsibility'. It must be short, because to deal fully with this question would require another address, or possibly a series of addresses, which I am certainly not competent to deliver. Nevertheless, I am aware that in the minds of many people such a phrase as 'the scientific treatment of offenders' connotes this question first, and sometimes this question alone. Nor would I deny that, in the final analysis of the theme I am pursuing, they may, in one sense at any rate, prove to be right.

May I start with a reminder that I am considering only those offenders who, in the present state of the law, are deemed to be legally responsible for

their criminal acts, and add that I am dealing primarily with practice and not with scientific principle. I shall, therefore, be obliged again to make certain dogmatic statements, without attempting to argue them, to make clear what is my point of departure.

Crime, as Dr. J. R. Rees has said, is not a disease, but it may be due to disease. The questions under consideration concern those offenders whose crimes may be shown to be due to disease in the sense that there is a direct causal relationship between the disease and the crime, so that if the disease were removed it might be assumed that the offender would not commit that sort of crime again. For the present I shall consider only mental disease, by which I shall mean any mental abnormality, short of certifiable insanity and mental defect, which is held to be capable of medical treatment and, potentially, of cure.

Let us then suppose that a court, following a scientific diagnosis of an offender, is satisfied that such a condition exists. The question is, what is it open to the court to do, within the framework of general deterrence and existing law? Within that framework, the court must consider first the protection of society, for society must be protected against crime whatever the motivation or degree of responsibility of the offender. And since the offender is to be considered as legally responsible, the measures ordered by the court must be within the range of punishments sanctioned by the criminal law.

But the essence of the situation we are considering is that, in order to prevent this particular offender from offending again, the most effective measure will be the scientific treatment of the abnormal condition which has caused the offence. And *ex hypothesi* the court cannot prescribe a treatment in this sense; it can only prescribe a punishment, though the punishment may in theory include the treatment. For instance, under section 4 of the Criminal Justice Act, an offender who is shown by the evidence of a duly qualified medical practitioner to be suffering from a medical condition which requires and may be susceptible to treatment, but is not such as to justify certification as a lunatic or a mental defective, may be placed on probation on condition that he undergoes treatment as specified in the order. But this procedure depends on the voluntary co-operation of the offender, and it cannot be applicable in cases where considerations arising from the nature and gravity of the offence appear to the court to predominate over those arising from the nature and needs of the offender. In the latter cases it appears that the court, whatever the diagnosis, can prescribe only one treatment – imprisonment, and in deciding on the length of sentence it must regard the imprisonment as a punishment and fix the sentence accordingly. It would not pass a sentence of two years for an offence that would, by accepted stan-

dards, warrant six months, so that the offender might benefit from whatever medical treatment could be provided in prison.

It appears, therefore, that even for this category of offenders, which comes closest to the medical analogy of diagnosis and treatment, the scope for the practical application of scientific principle is extremely limited. If it is to be significantly enlarged, fresh legislation based on fresh thought will be necessary. And I venture to state, as a purely personal view, that this result will not be reached without consideration of the relation of this principle to the principle of the liberty of the subject—when, in fact, does social defence pass to social aggression? For it seems evident that the scientific principle can be logically and effectively applied only if the offender can be compulsorily confined for so long as his disease renders him dangerous, however long that may be.

So much then for the position of the courts, the general practitioners of our scheme. I now pass to some brief considerations concerning the position of our specialists, the experts who are called in to advise the courts. These are of two sorts—first, those who on behalf of the Prison Commissioners are required by statute to make reports to the courts, in respect of offenders eligible for Borstal Training, Corrective Training, or Preventive Detention, on their physical and mental condition and suitability for such a sentence; second, those who are called in directly by the courts to advise them in particular cases. In either method, if the Brussels principles were fully applied, there should be available a co-ordinated team of the various experts concerned, *viz.*, physician, psychiatrist, psychologist, and social case-worker. And it should be possible to obtain the advice required, if the court thinks fit, without remanding the offender in prison custody.

Now a team of this sort outside the prison system will be costly in terms both of money and of use of skilled and scarce manpower. Dr. Glover, in a recent address to this Group,² has dealt with some of the difficulties to be met with in teamwork among so many scientific disciplines. It may be that in the clinic originated by our parent Institute, and in a very few others in London and the largest urban centres, such teams have been or could be organized. But it would be unrealistic to expect that in the near future courts in general will be able to look to such a service for expert advice: and in saying this I pass over a number of points of organization and administration which were touched on at Brussels without being fully explored.

Another question which seems to me of interest is that of presentation of the findings of the team. Is each member to make his own report and leave the court to draw its conclusions, or is one of them to assemble the pieces into a complete picture, draw the conclusions, and place them before the court on

² *Brit. J. Delinq.*, 4, 3, 173-88.

behalf of the team? The former procedure might not be very useful, while the latter might be difficult to reconcile with the normal machinery of justice.

A still more important question, perhaps, is how the court is to decide whether the offender before it requires expert diagnosis, and if so to what extent, for it is not to be supposed that a complete diagnosis calling for the use of all the disciplines concerned will always be necessary. The most advanced school of penological thought, which tends to equate legal treatment with medical treatment, would make an examination obligatory in every case. The possibly more realistic, if less logical, Brussels proposals envisaged obligatory examination only for certain offences, *e.g.* arson, homicide, and sex offences, and for habitual criminals. But these categories, excepting habitual criminality in its widest sense, are merely marginal on the whole body of crime, and the discretion of the courts would still be complete over the greater part of the field. And unless the courts make correct decisions as to when an expert examination is necessary, and what sort of examination is required, the whole system seems to be weakened at a crucial point.

Where the examination is to be made in prison custody, the position, though far from satisfactory, is in many respects, at any rate potentially, more so than if the offender is on bail. For it is only lack of means, and conditions of exceptional difficulty since the war, which have prevented a fairly close approximation to what the Brussels proposals require. Power was taken in the new Prison Rules of 1949 to set up regional prisons for the special observation of both unconvicted and convicted prisoners, and at such prisons complete diagnostic teams would be constantly employed: a working party has since been engaged on preparing this project, but that seems to be as far as it will progress for some time to come. Meanwhile such examinations, whether made on request by the courts or in pursuance of the statutory duty to make reports in certain categories of case, must be made by the staff of the local prison serving the court. In the larger local prisons there is already something like a diagnostic team. The medical officer, who is usually experienced in forensic psychiatry, has the assistance of a psychologist and a psychological tester; and an assistant governor, appointed specially for this work, collates social reports from probation officers, police, and many other sources. But demands from courts are in general not for a comprehensive diagnosis but simply for a report from the medical officer on the physical and mental condition of the offender, and over 5,000 such reports are made in a year. It is only in the statutory reports to courts that the complete diagnostic machinery is normally brought to bear, and its result presented to the court by the Governor.

But even this situation is subject to several limiting qualifications. First, it is only at the larger prisons with full-time medical officers that it exists as

I have described: and this must be so till we can get the regional centres. Second, in making statutory reports on suitability for Borstal or corrective training or preventive detention, the Commissioners are neither required nor expected to present the courts with a scientific diagnosis on Brussels principles: they are limited to advising on suitability for a particular treatment, and must be careful not even to appear to be suggesting to the court what measure it ought to prescribe. And third, even this limited function is turned into a meaningless and misleading gesture, in a substantial number of cases, because the machinery of justice has never been adapted to this conception as a matter of principle. Thus the Commissioners are often required to make such reports on offenders who have only been in their custody for a few days, or who were seen by the Medical Officer for the first time on the dock steps when they surrendered to their bail.

Finally, I pass to the application of the Brussels principles to the treatment ordered by the court. In doing so, I shall confine myself to treatments within the prison system both for reasons of time and because I have no specialized knowledge of the probation system; as to which I will only say that it was proposed at Brussels that any reports made to the courts would be at the disposal of the probation officer, and that it should be possible for the court at the request of the probation officer to order further examination and to vary the conditions of the order.

As I have already indicated, individualization of treatment begins with the order of the court, which for offenders under 21 may choose between the detention centre, the Borstal, or the prison. I shall, however, limit my further examination, in general, to those over 21, for whom, unless they are dealt with as persistent offenders, the only treatment available is simple imprisonment. Any measures for the individualization of treatment within this simple framework must therefore depend on the arrangements made by the prison authorities, who have to receive whatever material the courts choose to send and keep them for the period prescribed, no more, and—it is hoped—no less, whether the period so prescribed bears any relation to the treatment needs of the individual offender or not.

As I said earlier, the purpose of the treatment from the point of view of the prison authorities is the rehabilitation of the offender. To this end—and here I quote the Brussels proposals in full:

‘(1). The prison administration requires, at least for offenders with a sentence of a certain length, information based on scientific examination to enable it to deal with:

- (a) the classification of the offender;
- (b) the individualization of his treatment;
- (c) his adaptation to the régime of the prison, particularly by helping

him to regulate his family and other affairs outside the prison :

(d) his re-establishment and welfare after liberation.

‘ (2) For these purposes the administration may require a report consisting of some or all of the following elements, *viz.*, an analysis of the criminal record of the offender; a social examination; a medical examination; a psychological examination which should include educational and vocational tests; a psychiatric examination.

‘ (3) To secure continuity, and avoid doing the same work twice, any report made to the court before sentence should be placed at the disposal of the administration.

‘ (4) The administration itself should be equipped with suitable establishments and expert staffs to enable it to make complete examinations of offenders as described in para. 2 above. This should preferably be done in special centres, but at least in all prisons where prisoners serve long sentences there should be certain experts to enable continuity of observation and treatment.’

Broadly speaking, in our own prison system, these requirements, except for para. (3), are being met, fully for some categories, less fully for others. But they can never be met for all until we get the regional observation centres I have already mentioned. For those sentenced to Borstal training, there are special reception centres manned with a complete diagnostic team, including educational and vocational experts: for those sentenced to corrective training, there is a similar centre, but with a more restricted team. The anomaly is that this careful examination, spread over several weeks, can only be carried out *after* the treatment has already been prescribed.

For those sentenced to imprisonment, the first task is classification, that is to break them up into groups suitable for different types of training in different types of prison, known as central, regional and local, each of which may be sub-divided again according to the type of custody required—maximum, medium, or minimum. This process is carried out in the local prisons by Review Boards of senior officers, who use whatever expert advice is available to them from their own staff and from social reports obtained from other sources. This procedure, though it works reasonably well, is not of course based on the full examination that could be made in a special centre with a complete diagnostic team.

Those transferred to central or regional prisons are again considered by the Boards of those prisons with a view to individualization of treatment. I should not like too much to be read into this phrase. It does not mean that a special personal programme is prepared for each offender adapted to his particular needs in the light of a scientific diagnosis. It means simply that he gets what is most suitable for him of what the prison has to offer. But it also means, and this is the true basis of prison training, that he gets con-

tinuous personal attention from a staff whose duty it is to help him to adapt himself to prison life, to plan constructively for his future, and to fit himself for that future. And in trying to understand each prisoner as an individual human problem the staff have the advantage of all the examinations that have already been made of him and his history, and of such help as their own medical officer, whether as physician or psychiatrist, may be able to give.

I should like in conclusion to emphasize the role of the prison medical service in this scheme of rehabilitation. I would describe it broadly as the removal, so far as possible, of any physical or mental obstacles to rehabilitation. A prisoner today may have every service, whether psychotherapeutic, surgical, medical, ophthalmological, dental, or venereal that will help him to cope more effectively with life when he goes out—provided he is willing and the length of his sentence permits. These last two qualifications are especially applicable to psychiatric treatment. I have no doubt that members of this group are aware that the prison service has two psychiatric clinics for men, and one for women, under the charge of experienced medical officers, assisted by psychologists, psychological testers, and psychiatric social workers: that these clinics have the services of consulting psychotherapists and of the resources of outside hospitals where encephalography or physical treatments are required: and that all medical officers are asked to refer to these clinics any prisoners whom they consider suitable for and likely to benefit by psychiatric treatment.

The Group may also be aware that the Commissioners have long planned, and now hope shortly to bring to fruition, a special psychiatric prison hospital where all this work, and much more, will be carried out in proper conditions. For no one can suppose that an ordinary prison is a favourable milieu for psychiatric care or treatment. It may be indeed that a prison is not, and never will be, a favourable milieu for the sort of work that penological science is increasingly expecting it to do. Its limitations are by no means confined to those I have suggested. But such as they are the prisons will have to serve, unless that more extreme school of penological thought to which I have referred succeeds, by abolishing the conception of punishment altogether, in bringing us to the condition of Samuel Butler's 'Erewhon'.

INTERNATIONAL CO-OPERATION BY THE UNITED NATIONS IN THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS¹

By MANUEL LOPEZ-REY (NEW YORK)

Since 1946 the United Nations has been developing a programme of work in order to establish international co-operation on prevention of crime and the treatment of offenders. As this is not the first account of its activities, this paper will inevitably refer to earlier descriptions of the work of the United Nations.² This account, however, differs from previous ones in three ways: (a) it is an attempt to set forth the essential features of this international co-operation; (b) it gives particulars of the work done between the end of 1951 and October 1953; and (c) it is an attempt to assess that work provisionally after several years of international activity. An account of international co-operation by the United Nations in this field is the more timely inasmuch as (a) the United Nations social defence programme³ has been altered in consequence of the recent adoption of the 'Programme of Concerted Practical Action in the Social Field of the United Nations and Specialized Agencies'⁴; (b) the public is still unfamiliar with or confused about its work in connection with the prevention of crime and the treatment of offenders.

I. FEATURES OF THE INTERNATIONAL CO-OPERATION ORGANIZED BY THE UNITED NATIONS

Historically, international co-operation in social defence has been and is of several different types. Generally speaking, this variety is due (a) to the greater or lesser extent of the penal, criminological or penitentiary activities assigned to the particular organization; (b) to the broader or narrower geographical scope; and (c) to the organization's governmental or non-govern-

¹ A preliminary survey of the ground covered in this article has already appeared in *The Proceedings of the American Prison Association*, 1953.

² See *International Review of Criminal Policy*, United Nations, No. 1, January 1952, pp. 3-27, which describes these activities up to almost the end of 1951.

³ The term 'social defence' is purely conventional and should not be taken as referring to any school of penal or criminological thought. Administratively, it embraces the following activities: (a) the prevention of crime and the treatment of offenders; (b) prostitution and related matters; (c) permanent administrative action in connection with these three activities.

⁴ See United Nations document E/CN.5, 291 and addenda. The Economic and Social Council adopted this programme in resolution 496 (XVI) of July 31st, 1953.

mental nature. Each of these features again may take differing forms. The International Union of Penal Law and the International Penal and Penitentiary Commission⁵ may be cited as past examples. Today there are such organizations as the Howard League for Penal Reform, the International Association of Penal Law, the International Society of Criminology and the Nordic Associations of Criminologists. Although all of these are somewhat similar in type, activities and geographical scope, they also show marked differences.

Although the type of international co-operation organized by the United Nations has some features similar to those of past and present organizations, it differs in essence from them all. Its distinctive features are, in brief: (a) the establishment of an international criminal policy with a social purpose and a work programme; (b) leadership in co-ordination of the activities called for by that policy; (c) the provision of technical assistance in order to make the criminal policy more effective; (d) the dissemination of information on social defence; (e) the establishment and operation of a technical administrative organization.

Establishment of an international criminal policy with a social purpose and a work programme. In connection with this feature it should be noted that from the outset the United Nations regarded the prevention of crime and the treatment of offenders as a social problem. The organizations which in the past concerned themselves internationally to a greater or lesser extent with these matters did not always regard them in the same way, but often looked upon them as juridical or legal problems.⁶ The prevalence of this view for a considerable period explains in part why the League of Nations never had a body specifically concerned with the problems which the United Nations groups under the term 'social defence'. If the legal view is taken, these problems fall within the exclusive jurisdiction of States. This view, postulated during the League of Nations period, seems to rely, as past records suggest, on the concept of national sovereignty. Accordingly, the theory of sovereignty allegedly argued or argues against international co-operation by an international body in the prevention of crime and the treatment of offenders.

Despite that objection, the opposite view has, with rare exceptions, prevailed internationally and may be regarded as generally accepted today. The fact that it has developed and prevailed is to be explained largely by the growing social function ascribed to penalties, owing to advances in penal and criminological thinking. It is now held that what mainly matters are the

⁵ The IPPC's functions were transferred to the United Nations in 1951 under General Assembly resolution 415 (V).

⁶ Some precedent for the social approach is to be found in the League of Nations, e.g., its efforts to suppress the traffic in women and children.

social readaptation of the offenders and the prevention of crime. This idea necessarily means bringing those problems within the frame of social policy. Since the latter is a matter for international co-operation, the result has been that these problems form part of the far-reaching United Nations social welfare programme and come within the Social Commission's competence.⁷

Accordingly, the trend of the co-operation organized by the United Nations is, for social reasons, towards the improvement of national policies and practices for the prevention of crime and the treatment of offenders. In its activities along these lines, the United Nations pays due regard to scientific and technical advances, but both are to be regarded as subsidiary to the social aim of recovering human capital so far as may be possible and preventing the loss of such capital. Accordingly, the fairly common view that social defence policy relates only to certain social groups, namely, offenders and prostitutes, is to be regarded as only partly correct. Actually, an adequate social defence policy should deal with the prevention of crime, and so embrace all social groups without exception, because any person may become an offender at any time, there being no such thing as immunity to crime. The division of the United Nations work programme into two broad and closely linked sections, the prevention of crime and the treatment of offenders, corresponds to this distinction between prevention and recovery. Indeed, experience teaches us that to prevent an evil is always more feasible and less costly than to suppress it. That is the justification for the prominence given by the United Nations to the investigation of and projects for the prevention of crime. For obvious reasons, pre-delinquency and juvenile delinquency are included in such prevention.

The predominantly social nature of United Nations activities with respect to social defence entails close liaison between the work programme relating to social defence and the programmes relating to other social matters. This liaison is maintained by the Social Commission and the Division of Social Welfare, the internal organization⁸ of which shows the interdependence of all social problems. But unwarranted conclusions should not be drawn from this: the interdependence of social problems does not mean that the solution of one social problem necessarily presupposes the solution of another related problem, but merely that the solution of the second problem may thereby become easier. This observation has its importance, inasmuch as it is sometimes asserted that a general improvement of living conditions would more or less automatically lead to the disappearance of crime. It cannot be denied

⁷ In the Secretariat's organizational structure social welfare includes social policy, social services, housing and social defence. Other aspects of social welfare, such as health and education, are dealt with by the World Health Organization, I.L.O., U.N.E.S.C.O., and other bodies.

⁸ See footnote 7.

that such an improvement may reduce or even wipe out some types of crimes, mainly minor crimes of an economic character, but an improvement of living conditions, although exerting a beneficial influence, does not eradicate crime, nor can it be a substitute for a social defence policy. Owing to lack of space, this question cannot be considered in detail here. Suffice it to say, however, that (a) crime is due to a great variety of factors, not all of them social ; (b) crime is found in all social sectors, regardless of their living standards, although its incidence varies ; and (c) the improvement of the general standard of living in turn gives rise to new forms of social maladjustment.

The social nature of United Nations activities with respect to social defence is shown by the list of projects given later in this article. Two items deserve special mention : (a) the formulation of the essential principles of a social approach to the prevention of crime ; and (b) the prevention of types of criminality resulting from social changes and accompanying economic development in less-developed countries.⁹

Leadership in and co-ordination of the activities called for by an international criminal policy. The question has sometimes been asked whether United Nations policy with regard to social defence is aiming at standardization. The answer is that this policy, although international, is not attempting the legal standardization of those parts of national legislation which deal with the prevention of crime and the treatment of offenders. The prevention of crime and the treatment of offenders by their very nature are closely bound up with a country's cultural, social and economic conditions ; consequently standardization is not possible. That is why the criminal policy of the United Nations, although universal in character, recognized from the outset the need to allow for national and regional characteristics in the matter of social defence. In a word, universality and international co-operation do not mean the standardization of legal systems, but rather the co-ordination of activities and the improvement of existing conditions. As the 1948 resolution of the Economic and Social Council (155 C (VII) explicitly states, the function of the United Nations with respect to social defence is leadership in co-ordination, or rather, leadership having regard to the activities of other international and national organizations interested in this field.

This function of leadership and co-ordination is discharged with due regard for national and regional idiosyncrasies. Thus, General Assembly resolution 415 (V), referred to above, says that regional groups which are to meet periodically to study social defence matters should be organized, taking into account ethnical, legislative and customary affinities, to consider questions of particular interest to such groups. The following regional groups have

⁹ For further details see United Nations document E/CN.5/292 of March 12th, 1953, *Work Programme and Priorities* ; also the document cited in footnote 4.

been organized on this flexible principle: European (1952); Latin American (1953); Middle East (1953); and the Far East regional group is to meet in 1954. Although the subjects discussed by these groups have been, with a few exceptions, the same, the object is not to reach a uniform standard to be applied in all countries, but to discover to what extent and in conformity with what national and regional requirements different solutions of the same problem should be adopted. Thus 'standard minimum rules for the treatment of prisoners' were discussed by each regional group in accordance with regional ideas, not with the aim of approving standard rules theoretically of universal application. It may well be that when the forthcoming United Nations Congress on the prevention of crime and the treatment of offenders¹⁰ discusses the subject, it may come to the conclusion that some of those rules are suitable for universal application since they are general in nature and consistent with national idiosyncrasies, while the remainder will have to be adapted to the requirements of the region in which they are applied.

Whatever the solution chosen, the Congress is empowered to adopt resolutions on methods to enable the rules to be enforced effectively. These resolutions, under resolution 415 (V), will be communicated to the Secretary-General of the United Nations and, if necessary, to the Organization's policy-making bodies. It is in this respect, in the possibility of establishing an international policy with an effect on national legislation and within the limits laid down by the Charter, that the functions of the United Nations in the matter of social defence differ so markedly from those of the League of Nations. While the League discharged a function which has been called passive,¹¹ the United Nations can, subject to the provisions of the Charter, adopt an international policy on social defence.

The effective application of the minimum rules would mean obvious progress, since, with a few exceptions, they are not fully applied nationally even in countries regarded as advanced in penology. The acceptance of these minimum rules for the treatment of prisoners by governments, and especially their effective application, admittedly presents some difficulties, but it is to be hoped that some means may be found for enabling them to be effectively applied, even if only gradually, without offence to the susceptibilities of the national authorities.

The function of leadership and co-ordination is exercised through the Social Commission and, as appropriate, the Economic and Social Council and the General Assembly. The technical administrative organ is the Secretariat's Division of Social Welfare and its Social Defence Section. A Com-

¹⁰ The meetings of the regional groups are the stages leading to this Congress. See resolution 415 (V), cited above.

¹¹ See *International Collaboration in Criminal Science* by L. Radzinowicz, in 'The Modern Approach to Criminal Law', London, 1945, p. 493.

mittee of Experts on the prevention of crime and the treatment of offenders acts from time to time as adviser to the Secretary-General and the Social Commission. Provision is made for co-operation and the co-ordination of efforts and activities with governments' specialized agencies and non-governmental organizations interested in the prevention of crime and the treatment of offenders.

Provision of technical assistance in order to make international co-operation in social defence more effective. United Nations technical assistance for governments in questions of social defence is one of the most distinctive features of this international co-operation. This assistance differs appreciably from the activities of the League of Nations. It can be provided through a combination of the programmes drawn up by the United Nations Technical Assistance Administration and those prepared by the Department of Social Affairs. The aim is to assist governments in improving the existing state of social defence and to co-operate with them in setting up efficient national programmes for the prevention of crime and the treatment of offenders. The three main types of assistance are: (a) organization of seminars; (b) missions of experts; (c) grants of fellowships.

Regional conferences on the prevention of crime and the treatment of offenders when organized with some financial assistance from the United Nations are known as 'seminars'. These employ the methods of work usually adopted in seminars, which represent an introduction to study of the problems under consideration. So far one Latin American and one Middle Eastern have been held; a Far Eastern seminar will be held in 1954. The European regional group does not meet as a seminar, but as a regional conference. In addition, the Seminar on the Medico-Psychological and Social Examination of Offenders was held at Brussels in 1951, and the Seminar on Probation in London in 1952. Also the question of juvenile delinquency was discussed at the Social Welfare Seminar, Paris 1949, organized by the United Nations. The United Nations has also sent experts to Belgium, Burma, India, Israel, Pakistan, Philippines and Turkey at the request of the respective governments to study various aspects of the treatment of offenders and to offer advice.

Fellowships and scholarships are granted either for study or for advanced studies. The governments nominate candidates and the United Nations selects them, grants them a monthly allowance and defrays certain expenses.¹² One hundred and seven fellowships and ten scholarships were granted between 1947 and 1952 to candidates from thirty-two countries. The subjects studied were: the prevention and treatment of juvenile delinquency, the

¹² See *Programme of Fellowships and Scholarships for 1954*, Technical Assistance Administration, United Nations, January 1953.

organization of juvenile courts, legislation on juveniles, institutions for juvenile delinquents, probation, correctional measures for adult offenders and similar topics. The recipients were sent to eighteen countries, principally to the United States of America, the United Kingdom and France. In most cases, the recipients carried on studies in two countries, which enabled them, *inter alia*, to compare different systems. The study countries are chosen with due regard to various regional factors and to the consideration that, on his return home, the student's services may be of use to his government. Satisfactory results have already been noted, showing the usefulness of the fellowship system set up by the United Nations.

Information on social defence. An important feature of the leadership and co-ordinating function of the United Nations in social defence is the dissemination of information on studies, articles and documents dealing with the prevention of crime and the treatment of offenders. This information service should be regarded as part of the work programme. The information is disseminated by (a) the publication of the *International Review of Criminal Policy*; (b) the publication of studies on particular subjects included in the work programme¹³; (c) the publication of the reports and records of the regional conferences; (d) the publication of the reports of experts; and (e) the distribution of United Nations documents dealing with social defence.

Establishment and operation of a technical administrative organization. In order to discharge its functions of leadership and co-ordination, the United Nations has set up the Social Defence Section of the Division of Social Welfare; this section is the technical administrative organ responsible for carrying out the criminal policy established by the Social Commission, the Economic and Social Council and, in some instances, by the General Assembly itself. Special reference should be made to the Committee of Experts on the prevention of crime and the treatment of offenders referred to above. This is a technical body which meets from time to time, as provided in resolution 415 (V), and whose function is to advise the Secretary-General of the United Nations and the Social Commission on the preparation of the social defence programmes and on the co-ordination of the regional conferences. The national correspondents appointed under that resolution also supply technical information. There are at present seventy-seven correspondents, representing forty countries.¹⁴ They are specialists appointed by the governments to keep the Secretariat informed from time to time of any new provisions enacted or action taken in their countries in the matter of social

¹³ The list of publications will be published in issue No. 5 of the *International Review of Criminal Policy*.

¹⁴ An account of the distribution of the correspondents and countries will appear in issue No. 5 of the Review mentioned in note 13.

defence. The incoming information is used by the Social Defence Section and by the experts preparing papers on or engaged in missions concerning the prevention of crime and the treatment of offenders. The correspondents system has worked satisfactorily and their technical function becomes still more obvious when it is borne in mind that, under the resolution referred to, the correspondents are to participate in the regional conferences and, of course, in the subsequent quinquennial congress. The regional conferences may also be regarded as part of the United Nations technical administrative organization for social defence, as are the non-governmental organizations interested in the subject, by reason of their consultative functions; under the existing arrangements they co-operate directly with the Secretariat and participate, in accordance with the status granted them by the Economic and Social Council, in the regional conferences, the meetings of the Social Commission and of the Council itself.

II. PROGRAMME OF WORK IN THE FIELD OF SOCIAL DEFENCE ¹⁵

A. *Prevention of Crime.* (1) Juvenile delinquency; (2) Criminal statistics; (3) The formulation of the essential principles of a social approach to the prevention of crime; (4) The prevention of types of criminality resulting from social changes and accompanying economic development in less-developed countries.

B. *Treatment of offenders.* (1) Probation and after-care; (2) Minimum rules for the treatment of prisoners; (3) Recruitment and training of personnel; (4) Open correctional institutions; (5) Correctional labour; (6) Prevention of crime among recidivists and classes of offenders, and their treatment; (7) Short-term imprisonment.

With the exception of A (3) and (4) and B (6) and (7) all the projects are in an advanced state. In this connection it should be pointed out that some of the projects are so vast and complex that progress is inevitably slow.

For many years the problem of juvenile delinquency has been a cause of anxiety in many countries. Owing to a series of causes which we cannot enquire into here, offences by juveniles have grown more numerous in some countries despite efforts to curb them. For this reason from the outset the United Nations took the view that juvenile delinquency, as one of the principal subjects to be dealt with in studies relating to the prevention of crime in general, called for research and investigation. Five monographs on juvenile delinquency have been prepared, dealing with the organization of juvenile courts and the care and treatment of juveniles in the following regions: the United States of America, Europe, Latin America, the Middle East and

¹⁵ Particulars of the programme are given in issue mentioned in note 13.

the Far East.¹⁶ These studies make it possible to compare the various existing systems for preventing juvenile delinquency. Accordingly, and with a view to adequate practical solutions, they have been submitted to the regional conferences which have found the documentation extremely useful. In view of the extent and complexity of juvenile delinquency a study is now being proposed which will discuss the effectiveness of governmental measures for the prevention of this form of delinquency. In September 1954 a seminar organized by the United Nations Technical Assistance Administration will be held in Vienna which will consider the various aspects of the institutional treatment of juveniles. Nor is the United Nations neglecting the research into, and discussions of, juvenile delinquency by non-governmental organizations. The material assembled will be laid before the World Congress in the field of the Prevention of Crime and the Treatment of Offenders which is expected to be held in 1955. It is hoped that this Congress will submit to the United Nations recommendations which, when implemented by governments, will be a first step towards the solution of one of the gravest problems of our age in the field of social defence.

International co-operation in this respect is particularly necessary, for: (a) juvenile delinquency is in general on the increase in many countries; and (b) the methods and policies for its prevention vary considerably. Although differences in approach and method are always to be expected in efforts to solve a social problem, the existing divergencies in methods of preventing juvenile delinquency have caused some uncertainty in many countries about the most efficacious means for its prevention. Let us note in passing that there is more uncertainty over preventive methods than over methods of treating juvenile delinquents. With regard to prevention one school of thought considers that juvenile delinquency may be avoided by the methods employed by a general welfare policy for childhood and youth. Though this is not the place for analysing this view it should, however, be said that the practical results yielded by the methods recommended by its exponents are not as satisfactory as its supporters claim. At the present time these methods are apparently being re-examined and would seem to be justified at least in some countries. Another school of thought holds that the prevention of juvenile delinquency is part of the prevention of crime in general. Co-ordination of international action by the United Nations concerning this complex problem is designed to throw light on it and to produce solutions consistent with regional needs.

The United Nations is carrying out another study of great practical impor-

¹⁶ These monographs bear the symbols ST, SOA, SD/1 and Addenda 1, 2, 3 and 4. They may all be obtained from the United Nations or from any of its sales agents in various countries.

tance on probation. This system has been introduced in some form or other in a number of countries, with varying results. Modern criminologists consider that, properly organized, it can have a beneficial effect, both on the individual treatment of the offender and on the prevention of crime in general. To assist governments in organizing it properly the United Nations organized the London Seminar on Probation and has published a documented study which has been very favourably received.¹⁷ This will soon be followed by the publication of another paper on the practical results and financial implications of probation in a number of countries.

On the recommendation of the *Ad Hoc* Advisory Committee of Experts and in collaboration with the International Labour Office the United Nations has also investigated another important problem, that of prison labour. The need for employment in penal institutions has been recognized by all countries, but there are few in which penitentiary or correctional labour is properly organized. This lack of organization—itself due to a variety of causes—greatly hampers programmes for the readaptation of prisoners and also occasions serious disturbance in penal institutions where prisoners are given little or no employment. The therapeutic and correctional value of work is as great as that of programmes of individual treatment for prisoners. We are witnessing today the curious phenomenon that quite a number of penitentiary institutions maintain a staff of psychologists, psychiatrists and educators concerned with the rehabilitation of offenders whilst at the same time the prisoners are in effect kept in idleness. It is difficult to ascertain how far this disparity in methods nullifies the work of these experts but it seems reasonable to infer that it ought to disappear.

Why is no work given to prisoners? What sort of work ought to be given to them and under what conditions? What remuneration should they receive for it? How far should it compete with free labour? These and other questions, although more or less settled in theory, have not yet been adequately solved except in a few penal institutions. Other questions, such as the relationship between correctional labour and the individual treatment of the prisoner; between this labour and the nature of the institution (whether closed, semi-open or open); between correctional labour and the social and economic needs of the region and the individual, and so on, need further study and investigation, if every possible effort is to be made to secure the desired readaptation of the prisoner.

III. CONCLUSIONS

Provisionally, these may be divided into two groups, those of a general character and those relating to results obtained. One general conclusion is

¹⁷ See 'Probation and Related Measures', United Nations, 1951, E/CN.5/230.

that the international co-operation of the United Nations in the field of social defence has given rise to an international criminal policy the application of which involves two different stages: one involving international co-operation, the other the implementation of this co-operation by governments. The former, which supposes a co-ordination of knowledge, experience and efforts, is carried out by the United Nations with the assistance of the specialized agencies and the non-governmental organizations concerned. Such leadership and co-ordination is something new in international affairs. As stated before, this co-operation has primarily a social purpose and in fact the prevention of crime and the treatment of the offender have repercussions on other social activities. The reason is that, with some exceptions, every offence by its very nature is a symptom of a disruption not only of social life but also of family or private life, especially if it is followed by a prison sentence. Frequently the disintegration of the family produces social and economic difficulties which usually lead to conditions favouring delinquency or to actual delinquency. In any event, the social welfare services, where they exist, have to care not only for the offender but also for his dependent family. In other words, prevention of crime means something more than preventing the crime itself, since at the same time it obviates other forms of social disintegration and so reduces the strain on the social services, a fact of economic and social importance. The reciprocal influence between social policy and a policy of social defence is clearly demonstrated. By improving living conditions the former has an indirect influence on the prevention of crime, whilst the latter in its turn contributes indirectly to reducing the number of cases needing social assistance. Apart from these social aspects a decrease in the cost of crime (police, judiciary, prisons and after-care) has economic effects. Hence, international co-operation in social defence, as sponsored by the United Nations, is not a juridical issue but has a clear social content.

In their turn these social characteristics necessitate the active participation of the community in general, and more particularly of the small community, in the task of preventing crime. In any development of the community, whether this be large or small, urban or rural, this function must always be borne in mind. Viewed thus, the prevention of crime demands, *inter alia*, the co-operation not only of the international organs mentioned above, but also of the community as such and of the individuals who constitute it, all the more so because the attitude of the community often frustrates the best programmes for the readaptation of offenders. We refer here to the negative and even hostile attitude shown by the community not only towards offenders in general but, more particularly, towards persons placed on probation or released.

Although in any discussion of international co-operation in social defence

the usual distinction between developed and less developed countries should be observed, it would be a mistake to assume that the former have no need of such international co-operation. The reasons for this statement are briefly as follows: (a) the prevention of crime and treatment of offenders are not usually carried out uniformly and with uniformly satisfactory results in a particular country. This is particularly true of federal States where significant differences between the progress made in federal action and in the constituent States are often evident. (b) Although in general terms it may be said that certain countries are more advanced than others, it is interesting to point out that some questions for which they have found no solution have to a large extent been solved in other countries which are considered to be less advanced. For example, a successful attempt has been made in some Latin American countries to solve the sexual problem in prisons. Systems of leave of absence for all classes of prisoners have successfully been tried out in Asiatic countries. One can easily imagine how this system helps to maintain family ties and the morale of the prisoner himself. In other countries, by means of adequate systems and practices, the atmosphere of antagonism and conflict between prisoners and staff, which is too common even in big penal establishments in the more developed countries, has been eliminated or reduced to a minimum. It should also be pointed out that in some of these countries even small communities may have hostels set aside for offenders on probation and after release.

The results obtained through the co-ordinating action of the United Nations are more than satisfactory; and this is all the more noteworthy if the ever-narrower limitations of the United Nations budget are taken into consideration. Nevertheless, governments as well as the specialized agencies and non-governmental organizations furnish assistance in facilitating this task of leadership and co-ordination. The work carried out by national correspondents deserves a special mention.

The second stage of the application of criminal policy, namely, the maximum implementation of an international policy of social defence at the national level is exclusively within the competence of governments. In no case can the United Nations impose a national policy of social defence. Although it is difficult to appraise the results obtained, sufficient information is available to warrant our saying that, as a consequence of United Nations action, governments are concerning themselves more and more with the improvement of existing conditions. This growing interest is evidenced: (a) by the active participation of governments in conferences and seminars; (b) by the system of fellowships used by governments to improve the training of staff engaged in the prevention of crime and the treatment of offenders; (c) by governmental support for the system of national correspondents who

work in direct contact with the United Nations Secretariat; (d) by requests for experts in the field of social defence.

To sum up, it may be said that the United Nations programme of social defence has produced and is producing more than satisfactory results, which will become more evident as governments carry out the necessary reforms. These require time and funds; and therefore the impatience of those who demand immediate results is considered as unjustified by those who realize the nature of international co-operation and of social problems and, in particular, of the problem of social defence. The prevention of crime and the treatment of the offender will only produce tangible results if the methods which are judged to be most adequate are applied consistently. The object of the co-operation organized by the United Nations is to define or improve these methods.

RESEARCH AND METHODOLOGY

(Continued from Vol. V, p. 67)

CURRENT RESEARCH. XL. MUNCHHAUSEN'S SYNDROME.

(1) *Name of University Department, Hospital, or other Institution or private person supplying the information :* Banstead Hospital, Sutton, Surrey.

(2) *Subject of Research :*

To study the clinical picture and the underlying psycho-dynamics of the above-named syndrome which involves a long history of petty delinquency, of pathological lying, and of admissions to hospitals with various fictitious complaints and under a variety of assumed names. The syndrome has been named after the famous Baron von Munchhausen and has been described by Richard Asher (*The Lancet*, February 10, 1951) and others from the point of view of general practice. This research aims at psychiatric and psychological analysis of the syndrome, with intensive case study and personality tests of a small number of cases.

(3) *Under whose auspices is the research being carried out ?*

Banstead Hospital. *Physician Superintendent :* Dr. E. P. H. Charlton. *Research Workers :* Dr. I. F. Collie and Dr. T. G. Grygier.

(4) *Started :* August, 1954. *Completion expected :* Winter, 1954/5.

(5) *Publication :* No results so far published.

RESEARCH NOTES

A FURTHER NOTE ON THE HABITUAL CRIMINAL

In the *British Journal of Delinquency* of January, 1953, a note of mine appeared dealing with the records of a group of 255 habitual criminals subsequent to their discharge from Parkhurst and Dartmoor in 1930. Of these, 157 or just over 60 per cent. had, at the time of investigation (the middle of 1952), been finally clear of the police and the prison authorities for not less than five years. Allowing for deaths it appeared that some 56 per cent. had voluntarily abandoned crime. Five years may appear to be a somewhat optimistic criterion of 'reformation'; but it was adopted after studying a large number of records. It can be taken as sufficiently reliable for practical purposes, for the percentage of criminals who after five years clear of the authorities revert to crime is negligible.

That so high a proportion should have ceased to recidivate came as a surprise, since the group was a sample of the worst elements in the criminal population. Some had had criminal careers which lasted 40 years, and many had more than 30 convictions recorded against them. The average length of the criminal careers of those regarded as successes was 22 years, and the average number of convictions was over 15. As Parkhurst and Dartmoor were convict prisons all had served at least one sentence of penal servitude.

But even less expected than the high percentage of men who appeared to have abandoned crime was the distribution of the ages at which this change occurred. This is given in Table I and is taken from the original Note (Table B):

TABLE I

Ages .	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60
Numbers .	11	26	32	35	26	26	—	1

The figures appeared to contradict the commonly held idea that it is easier to reform a young criminal than an older and more 'hardened' one; as the sample was so small, a further investigation was clearly indicated. By the courtesy of the Prison Commissioners and the Criminal Record Office, I was given access to the records of all men discharged from Dartmoor and Parkhurst in 1924, 1925 and 1929, and also from Maidstone in 1924. As in the first enquiry, the records of all men born before 1885 were rejected together with those showing less than three convictions. Finally 351 additional records were obtained making with the earlier group 606 in all. The same criterion of success was adopted, *i.e.* not less than the last five years free from prison or police.

Table II gives an analysis of the results. It is considerably fuller than Table I since the greater numbers have made it possible to give four birth groups separately.

TABLE II

<i>Birth Group</i>	<i>Numbers ceasing to recidivate in age groups</i>								<i>Failures</i>	<i>Total</i>
	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60		
1885-89 .	—	—	14	23	21	29	16	5	46	154
1890-94 .	—	17	19	33	22	26	7	—	51	175
1895-99 .	11	28	28	22	21	6	—	—	50	166
1900- .	14	16	22	12	4	—	—	—	43	111
TOTAL	25	61	83	90	68	61	23	5	190	606

Of the 606 men, 416 were classified as successes according to the criterion. The remaining 190 were regarded as failures, since at the time of the investigation, 1952, they had not been out of the hands of the police or the prison authorities for the last five years or more.

But an examination of Table II shows only too clearly that the method of obtaining data by taking discharges from prison in certain years introduces a very heavy bias. In the earlier note I mentioned the existence of this bias, but it was not until the sample was large enough to divide into birth groups that its magnitude became apparent.¹

The way in which this bias has entered may best be seen by examining the birth groups separately. For example the 1885/9 group shows no successes below the age of 35. The reason is that the earliest discharges examined were for the year 1924 and so all the men left in this group must of necessity be 35 or older. A representative sample of prisoners born in 1885 would most certainly have shown a number of men who had reformed before the age of 35. These were excluded by the method of selecting the records. In the birth group 1900 and after the curtailment affects the later ages. As the records were examined in 1952, and not less than the final five years was the criterion of success, no man could qualify as a success unless his record had been clear from 1947. But at this time no man in the group was older than 47, and some were just over 40. During the next ten or fifteen years we can expect that a number of the 43 men classified as failures will cease to recidivate. Here again the method of selection gives too low probability of success.

The two intermediate groups suffer at both ends of the scale. But the bias does more than minimize the probable success rate. Both Tables I and II give an entirely false picture of the distribution of the ages at which criminals cease their criminal

¹ This bias is unfortunate, but there does not seem to be any method of obtaining a random sample of records of habitual criminals large enough to be statistically useful which will not involve inordinate labour. C.R.O. contains some three million records. Approximately 80 per cent. are those of persons with one, probably trivial, offence. Many of the remainder are obsolete. To obtain a truly random sample of 600 records of habitual criminals might easily involve the examination of 10,000 records.

careers. The peak in the middle age period is entirely fictitious. It will be seen in Table II that in the column relating to the age group 40/44, all four cells are occupied. For the other age groups one or more cells are either unoccupied or under occupied.

Nevertheless Table II contains a very great deal of information. Not all the figures are subject to bias. Those printed in heavy type are undistorted. Neglecting the biased figures we are left with 528 cases, and from these we can deduce with considerable accuracy the real pattern of non-recidivation over an age span of some 30 years. By applying a standard actuarial method we can calculate the percentage of men who, on attaining a given age, may be expected to cease to recidivate within five years. This is given in Table III.

TABLE III

Expected Percentage of Criminals who on Attaining given Ages will cease to recidivate within five years

<i>Age</i>	<i>%</i>	<i>Smoothed Values</i>
30	18	18
35	20	20
40	22	22
45	23	25
50	30	26
55	25	27

Thus we see that of 100 active criminals aged 30 we may expect 18 to abandon crime before they reach the age of 35 ; while of 100 aged 55 we can expect 27 to cease before the age of 60.

From Table III we can calculate a further series which will show the rate at which 100 criminals aged 30 may be expected to abandon crime over a period of 30 years. This is given in Table IV.

TABLE IV ²

Ages . . .	30-34	35-39	40-44	45-49	50-54	55-59
Percentage ceasing to recidivate .	18	16	14	12	10	8

² It should be noted that Table III is an ascending series of percentages because they refer to a steadily decreasing number of active criminals, whereas Table IV gives the percentages of the original 100. Thus between the ages of 55 and 60 eight of our original 100 ceased to recidivate ; but 70 have already ceased previously and the eight equals 27 per cent. of the 30 who were active at the age of 55. This shows how the Tables interlink.

This Table suggests that between the ages of 30 and 60 something like 80 per cent. of habituals disappear from the ken of the police by ceasing to recidivate or by death.

In estimating how much of this non-return to crime is due to death we must have regard to our criterion of success. If it be accepted that five years free of prison or police is adequate evidence of success we must not take the crude death rate for men aged 30 over a period of 30 years and deduct this from the figure of 80 per cent. We must calculate the probable death rate over a period of five years for each of the groups ceasing to recidivate in their given age period. This will give us a total figure of approximately 6 per cent., which is the legitimate deduction to be made. Thus, after making this allowance, we can say that rather more than 70 per cent. of our sample of 528 men ceased to recidivate before the age of 60 for reasons other than death.

With a sample so small as 528 cases it is highly desirable to find some method of checking the results deduced in Tables III and IV. Fortunately it is possible to do so by data of an entirely different kind. If we know the rate at which a given class of criminal is recruited, and if we also know the rate of wastage, we can calculate the age distribution of the class, and it is reasonable to assume that this age-distribution will be reflected in the numbers of the class who happen to be in prison at any given date.

Our calculation is here simplified in that our sample consists of men aged 30 and over; for although there is heavy recruitment of habituals in the twenties, very few men commence a criminal career over the age of 30. Dr. Morris found about 5 per cent. in his Wandsworth group.³ My own data give about 4 per cent. For our purpose this proportion is so small that it can be neglected. It will be sufficient to consider the effects of wastage.

If the numbers of the class of criminal decline according to Table IV it is clear that the members of the class must be distributed in age groups in the proportion shown in Table V.

TABLE V

Ages . . .	30-34	35-39	40-44	45-49	50-54	55-59
Distribution . .	91	74	59	46	35	26

The calculation of Table V is quite simple. Table IV shows that of 100 habituals 30 of age 18 will cease to recidivate within five years. Thus 82 will remain active at the end of the period, but the average number active over the whole five years will be 91, *i.e.*, 100 less half the number who cease to recidivate within the period. Of the 82 active at the beginning of the age period 35/40 16 will cease to recidivate during the period and the average number will therefore be 82 less one half of 16, *i.e.*, 74. A similar calculation gives each succeeding group.

³ 'The Habitual Criminal'. Norval Morris.

We can check this theoretical estimate of age distribution against the actual age distribution of habituals now in prison. Table VI gives this for some 1,300 prisoners serving sentences of Corrective Training, Preventive Detention and of ordinary long-term prison sentences in Dartmoor in December 1953.

TABLE VI ⁴

Ages . . .	30-34	35-39	40-44	45-49	50-54	55-59
Distribution . .	419	276	191	184	147	97

For ease of comparison Table VII gives the figures for both the actual and theoretical age distribution in percentages.

TABLE VII

Percentage distribution of population between ages of 30 and 60

	30-34	35-39	40-44	45-49	50-54	55-59
Actual . . .	32	21	15	14	11	7
Theoretical . .	28	22	18	14	11	8

It will be seen that the actual distribution confirms the theoretical estimate very satisfactorily and thus proves the validity of the figures on which this estimate is based, *i.e.*, the calculated rate of non-recidivation given in the earlier Tables.

It may appear surprising that, despite the post-war crime wave and the doubling of the prison population, the age distribution of habitual criminals now in prison can be used to confirm a calculation of the rate of non-recidivism of men, many of whom abandoned their criminal careers between 20 and 30 years ago. That this is possible is partly due to the remarkable persistence of the make-up of the prison population. Although this has doubled since 1939 its structure has remained unchanged. Indeed, this pattern or structure has been constant over a quarter of a century, as will be seen from Table VIII. These figures are taken from the Reports of the Prison Commissioners for 1928 and 1951, first and last years in which this information is given in strictly comparable form.

⁴ This Table has been compiled from birth-dates supplied by the Prison Commissioners.

TABLE VIII

	<i>Receptions on Conviction</i>	<i>With previous Proved Offences</i>	<i>Previous Imprison- ment</i>	<i>Previous Penal Servitude</i>
1928 .	34,485	23,662	16,444	1,318
1951 .	33,839	24,587	16,321	1,211

Apart from a sharp drop in receptions at the beginning of the war these figures have remained remarkably stable in the intervening years. The doubling of the daily average population of prisoners is not due to an increase in numbers sent to prison but to the fact that the average sentence has doubled. The number of receptions on conviction is approximately the same as before the war.

The conclusions arrived at in Table III are not without practical importance, for in 1953 the Lord Chief Justice announced that the Court of Criminal Appeal would normally regard 30 as the upper age limit for a sentence of Corrective Training. He gave no reason for this remarkable decision, which drastically modified the deliberate intention of the Criminal Justice Act passed only four years previously. Presumably the decision was based on the idea that it is easier to reform a young habitual than an older and more hardened one. How this idea arose is difficult to say, since all criminal statistics point to the conclusion that criminality decreases with age.

Table III shows clearly that the habitual conforms to the general pattern. It shows that of 100 habituals aged 30, 18 may be expected to abandon crime within five years, whereas at the age of 55 the probability of non-recidivation has risen to 27 per cent. It is difficult to understand why habituals over the age of 30 should be denied such advantages as there may be in a sentence of corrective training.

GEORGE BENSON, M.P.

RACIAL FACTORS AND URBAN LAW ENFORCEMENT

The purpose of the present note is to report some summary-findings of a research project which dealt with race, crime, and law enforcement in large American cities.¹ For *Journal* readers who are unfamiliar with the overall race/crime pattern in the United States, it should be pointed out that, as Negroes have migrated from the South to urban centres such as New York, Chicago, and Philadelphia, the crime problem in these areas has come to be centred around the Negro offender. In Philadelphia, for example, the Negro population proportion has grown from 7.4 per cent. in 1920 to 18.2 per cent. in 1950. Comprising about one-fifth of the city's population, Negroes are involved in over 50 per cent. of all arrests, and for many of the felony arrests the Negro figure runs to 60 per cent. and higher. The situation is similar in many other metropolitan areas, and is made difficult by the fact that Negro *policemen* are numerically insignificant.

One of our first findings disclosed the fact that, in spite of the high Negro arrest rate in cities like New York, Detroit, Newark, Philadelphia, and Chicago, the proportion of Negroes on the police force in these same cities runs, on the average, to only 3 per cent. Negro police commanders are quite scarce; in fact, at the time of the study there was apparently only one Negro police captain in the United States, although more have been appointed since the completion of our project (1953). In view of the disproportionate ratio between Negro arrests and Negro offenders, a large percentage of total arrests involve a white policeman and a Negro offender. Allegations of race bias and police brutality are not uncommon and, even though the claims may have no factual substantiation, feelings run high. These cases are reported by the Negro Press and are read by the Negro community, with the result that in many Negro neighbourhoods there is a resentment and distrust of policemen in general.

Returns of 1,081 questionnaires distributed to Philadelphia (white) policemen indicated that 51.8 per cent. of the respondents were 'more strict with Negro than with white violators'. Personal interviews as well as comments written on the questionnaires showed that these men felt that the Negro offenders *required* strict treatment because of their pugnacious attitude. Thus there seems to be a kind of vicious cycle in operation: Negro youth who are arrested often expect rough treatment and act accordingly. White policemen making the arrest expect to meet resistance, hence are predisposed to 'act tough'.

One solution to the problem would seem to lie in the recruitment of more Negro police personnel. Unfortunately, however, there are some obstacles here. To begin with, race prejudice has not entirely disappeared in the area of personnel recruitment. Although commanding officers are often desirous of employing Negroes, and while most white policemen harbour little ill-feeling against coloured applicants, evidence exists that some whites are still observing the colour line; at least, insofar as their attitudes are concerned. Questionnaire returns indicated that

¹ For further details see the author's papers, 'The Negro Offender: An Urban Research Project', *American Journal of Sociology*, Vol. LX, No. 1, July 1954, p. 46, and 'Negro Visibility', *American Sociological Review*, Vol. 19, No. 4, August 1954, p. 462. (Ed.).

15.5 per cent. of the white policemen resented having Negroes assigned to their district. To the question: 'Would you have any objections to taking orders from a Negro sergeant or captain if he were well qualified?' 35.8 per cent. of the respondents answered in the affirmative. (In practice, however, relationships involving Negro sergeants and white patrolmen are quite harmonious.)

Race bias, however, is probably not the chief deterrent to the recruitment of Negro police personnel, since all large U.S. cities hire policemen on the basis of civil service examinations. Prejudice is doubtless a factor, but there is reason to believe that the Negro applicant fares relatively poorly even when the examinations are administered fairly. The reason hinges, apparently, on educational differences between the two races. While the education of the Negro has improved, his level is still substantially below that of the whites, and, of course, this differential reflects itself in a comparatively low test score for the Negro police applicant. In the foreseeable future, it is possible that the percentage of Negro policemen in the urban police force will increase rather slowly.

Some criminologists feel that in the long run the race-crime problem in American cities will solve itself: *i.e.*, as the Negro's educational and economic status rise, it is to be expected that the Negro crime rate will drop accordingly. Unfortunately, there is as yet no sign that this is happening. Negro conditions have improved, but Negro arrest figures have not dropped; in fact, in some cities they have increased. On the basis of the research project to which we have referred, it is the writer's belief that the Negro crime problem in America will not 'solve itself'. Concerted action is needed by both the Negro community *and* the urban police force. At the present time, each has a tendency to place the burden of blame on the other, with the Negro Press sometimes serving as an incitement factor. Until such time as the urban police force and the urban Negro community learn to pool their efforts in the attack on illegal behaviour, the race/crime problem is likely to get worse before it gets better.

WILLIAM M. KEPHART, University of Pennsylvania.

NOTES AND CRITICISMS

DELINQUENCY IN CYPRUS

The Background. For the criminologist the island of Cyprus in the Eastern Mediterranean presents an interesting background against which the progress of delinquency in a developing community can be studied. Looking at Cyprus to-day we are in many respects looking back at our own society of about a hundred and fifty years ago. At the same time we can see the profound effects of culture contact as this island becomes a trade route and an air terminus. Before the advent of air travel Cyprus was away from world shipping lines and rather overshadowed by Palestine and Egypt. Of recent years it has become the very centre of Eastern Mediterranean travel and a hive of commercial activity.

Cyprus is a crown colony and the third largest island in the Mediterranean. In 1901 there were less than 250,000 people in Cyprus but during the past fifty years this figure has been more than doubled. Not only are there now about half a million people in Cyprus but the increase continues at a rate of 1·8 per cent. each year which, if it should continue, will mean a doubling of the population every thirty-nine years.

With special emphasis from the time of the second world war Cyprus has been growing economically and industrially. In fact a kind of industrial revolution is taking place at an accelerated rate and social changes with which we are all familiar and which took place in Europe over a number of years are being accomplished in Cyprus in as many months. Mining is an age-old industry in Cyprus but no Roman excavations can compare with the large companies operating to-day, producing copper and sulphur, pyrites, umbra and asbestos. Other industries include wines and spirits from Cyprus vines and fruits, plaster-board, macaroni, beer, soap oils, footwear, nails, artificial teeth, buttons and silk.

This should not give the impression, however, that Cyprus is predominantly industrial. In fact the opposite is true and Cyprus is and will probably remain chiefly an agricultural community. In 1953 at least 55 per cent. of all people gainfully employed were engaged in agriculture. The country is by no means well provided with industrial raw materials, and agriculture, in addition to providing foodstuffs for the expanding population, has to supply exports to pay for the increasing imports of manufactured goods. Difficulties of climate, soil and available water render production difficult, however, and it was significant that, whereas in 1950 the average net output per industrial worker was £240, the net output per person employed in agriculture was only £78.

Socially the Cyprus people are a peasant community and the 1946 Census showed that 78·4 per cent. of the population were living in villages. Although towns have grown considerably since then it is still true that the greater proportion of the population of the island is to be found outside the towns. Despite the rapid growth of towns it is generally true that only Nicosia, the capital, has become large enough for the people to feel themselves to be moving amongst strangers. Elsewhere in the island most people know each other's families and there is little of the anonymity so well associated with industrial towns. Most villages now

have their own bus and are linked by road to neighbouring towns so that even many of the industrial workers travel into the town daily from the villages and there is a general influx of people to district towns from the surrounding country on week-ends and market days.

The people have perhaps more in common with the Balkan peoples than with their Middle East neighbours. It was estimated that of the population of 506,000 in 1953 there were about 406,000 Greeks, 90,000 Turks and about 10,000 others. The others included a small Armenian community, an equally small Maronite section and the English people settled on the island. The Greek element dates back to the Trojan War, and the Turkish community originated in the Turkish conquest of the island in 1571.

It will be clear at the outset that there are several significant differences from the social pattern common to most studies of crime in Europe. In the first place the various communities divide the population ethnologically and, although they have a great deal in common, there are nevertheless several important differences in the social institutions of Greeks and Turks. Secondly, it should be noted that we are dealing in the main with small integrated communities within which crime has a social context of greater importance than is the case in the large communities in Europe. To find a comparable setting for crime we have to look rather to the scattered rural communities of mountainous Wales than to the impersonal millions of London or Birmingham. From the angle of delinquency and reformation this has two notable effects. It first of all provides a powerful social deterrent to criminal behaviour since a person committing an offence has to face his little world of neighbours whose disapproval is more powerful than any penal system. Secondly, it creates difficulties for those who may have to help a prisoner to regain his position in society. His past is always known and he is greatly dependent upon the use of this knowledge that will be made by those amongst whom he is living.

A third important factor of the environment is the size of the island. It is difficult for escaped prisoners to remain at large for very long without the connivance of many friends and relatives. It is equally difficult for a criminal to escape detection outside the large towns without the efforts of the community to shield him. In the United Kingdom the travelling criminal is one of the greatest problems facing the police. In Cyprus the insularity and integration of the communities do not offer much scope to the travelling criminal who is quickly recognized as a stranger.

In fact only in Nicosia can one find conditions of crime comparable to the backgrounds so well known in Europe. As towns grow it is inevitable that there will emerge many more points of similarity with circumstances well known elsewhere, but for the present these important differences greatly influence the pattern and the trend of crime.

The Records. The published records of crime in Cyprus consist almost entirely of the Annual Police Reports. Since 1952 the Welfare Department has been keeping fairly accurate records, particularly of juvenile delinquency, but there is not and has not been anything in Cyprus comparable to the yearly Criminal Statistics in England. Furthermore the records that are available are subject to all the defects common to lay statistics. For example, the distinction has never been made in the published figures between the numbers of persons convicted

and the numbers of cases before the courts. Furthermore the available information suffers from subjective influences and the confusion of classifications which have not always been static over the years. When we remember how recent are improvements in our English statistics and the lack of comparative figures in other European countries it is hardly surprising that these defects are to be found in Cyprus. They are likely to be eradicated in future but these limitations should be borne in mind in assessing the facts given here.

Since the war there has been a steady rise in the number of reported crimes and in the numbers of persons convicted. In 1935, 20,487 reports of serious crime and minor offences were received by the police, 17,250 cases were taken before the Courts and 15,409 cases resulted in convictions. The following year, 1936, showed an increase to 23,062 reports (18,356 convictions) but in the years immediately following there was a considerable decrease, *viz.*, 18,624 reports in 1937 with 13,750 convictions; 15,292 reports in 1938 with 11,295 convictions; and 15,037 reports in 1939 with 11,420 convictions. The war-time figures were complicated by the Emergency Powers Regulations but, excluding this special legislation, the figures for reported crime and minor offences showed no rise until 1942. In that year there were 16,881 reports of offences with 11,033 convictions. In 1943 it had become 18,526 reports and 12,552 convictions and in 1944 there were 20,527 reports and 14,403 convictions. From then on there has been a progressive increase in reports and convictions with only one slight drop in 1948. In 1950 the police dealt with 39,050 cases resulting in 30,303 convictions and in 1952 there were 48,434 cases and 37,266 convictions.

It should be remembered that many changes were taking place in the island during this period and the post-war figures especially were affected by the greatly increased number of traffic offences. Motor transport in the island increased enormously after the war and the number of traffic offences went up proportionately. Nor should it be forgotten that there was a progressive rise in the population from 1935 and a steady growth in the efficiency of the police.

There has been a steady rise in the number of serious crimes reported, as shown in the reports from 1938 onwards: 1938, 246; 1939, 313; 1940, 452; 1941, 612; 1942, 609; 1943, 1,006; 1944, 1,109; 1945, 824; 1946, 709; 1947, 792; 1948, 1,060; 1949, 1,009; 1950, 2,150¹; 1951, 2,649; 1952, 2,060. Various reasons were advanced for the increase in serious crime, but in general the figures have to be read against the background of a developing community with growing towns and the problems that these inevitably bring. There were also special features that we shall consider later.

It is not easy to make a comparison with U.K. figures, partly because persons and cases are not distinguished, but also because the laws are not entirely comparable. In so far as we might make an assessment in terms of U.K. figures, we should remember that in 1951 more than 500,000 indictable offences were cleared

¹ Though there was some increase, the great rise from 1950 is largely explained by the introduction in that year of a revised policy for the classification of criminal offences into the categories 'serious crime' and 'miscellaneous and minor offences'. Prior to this, although thefts of property valued at £5 and over had been listed as serious crimes, this had not included the thefts of bicycles whatever their value. Also thefts of animals of a value over £5 were included as serious crimes and, as the value of animals had greatly increased, this tended to swell the figures.

up by the police in England and Wales showing that there was an indictable offence for every 100 of the population. In the same year in Cyprus there were rather more than 2,500 serious crimes, or only one to each 200 of the population, and this figure is not limited to those cleared up by the police. It does in fact include all serious crime reported to the police whether cleared up or not. Though, as I have indicated, the figures are not really comparable there is a strong suggestion, borne out by general experience, that crime in Cyprus has not assumed the proportion that it has in the United Kingdom.

Special Features. In 1951 in Cyprus there were 28 reports of homicide, which term includes both murder and manslaughter. A comparable figure for England and Wales in 1951 would be about 328. Thus the proportion of homicide in Cyprus is higher than in England and Wales. In 1952 there were 25 cases in Cyprus and in 1949 the figure had been as high as 47. This high incidence of homicide and crimes of violence has been a significant feature of crime returns in Cyprus. In 1949 the Commissioner of Police said of the 47 homicides and 19 cases of attempted homicide: 'The great majority of these crimes were the outcome of uncontrolled and unrestrained passions of jealousy and revenge and from a policing point of view they were unpreventable.'

Throughout the years, crimes of honour and those connected with family vendettas have been a feature of Cyprus life. There is some improvement to-day, but up to recent times there have been so-called 'criminal' villages not only steeped in personal feuds and the concomitant violence but also places where assassins could be hired. These murders were almost always connected with family disputes and dishonour by seduction. In such villages the inhabitants do not go out alone at night and they take elaborate precautions against attack through open doors or windows. The linking of these villages with towns and the gradual emergence of better education and more socializing influences have done much to reduce this problem to manageable proportions. Against this, outrageous murders of very young children or by psychopathic types of offenders are very rare in Cyprus. An interesting period in recent Cyprus history was that of the later war years and early post-war years when outlaws took refuge in the mountains. They were responsible for several murders and other serious crimes as late as 1946 in which year the five remaining outlaws were rounded up by the police.

Juvenile crime in Cyprus has fluctuated over the years and, although there was a gradual rise in juvenile delinquency for 1948 to 1952, the figures for 1953 show a decrease. The numbers convicted were as follows: 1935, 452; 1936, 695; 1937, 621; 1938, 549; 1939, 422; 1940, 478; 1941, 398; 1942, 631; 1943, 560; 1944, 596; 1945, 436; 1946, 345; 1947, 322; 1948, 317; 1949, 369; 1950, 446; 1951, 425; 1952, 543. The actual figure for 1953 is not available yet but shows a decrease over 1952.

It is remarkable that during a period of profound social change in Cyprus the incidence of juvenile crime has not risen as might have been expected, especially in view of increased police efficiency and an increase in the total number of juveniles in the population. Juvenile offenders also present a very different problem from that in the United Kingdom. Speaking generally, it is true that there is much less serious maladjustment and emotional disturbance amongst children coming before the Courts in Cyprus than is observable in the U.K. A simple change of environment can work wonders for young delinquents here and the work of probation

officers and a reform school has been markedly successful. As always, it is dangerous to generalize, but this difference is no doubt to some extent attributable to the more stable influence of family life in a peasant community. It will be interesting to see what happens when industrialization and the growth of towns has made more progress.

There are three main forms of treatment for criminals in Cyprus—prison, reform school and probation. The prison is a large building with its own farm on the outskirts of Nicosia and receives committals from all districts of the island except Paphos where a small prison annexe to the local police station is separately staffed by warders. A very small open camp is maintained in conjunction with the main prison and used particularly though not exclusively for young offenders. The reform school has been in existence for about twelve years and is situated on the coast, providing good schooling and trade training for juveniles between eight and sixteen. In both prison and the reform school classification is difficult—in view of the small numbers—and as yet there is no Borstal institution.

Probation was introduced for juveniles in 1946 and extended to adults in 1952. It has made steady progress since then and is widely used by the Courts. The only difference from the system in the United Kingdom is that probation officers are also welfare officers in a wider sense, doing after-care and a variety of other forms of case-work, but in the special conditions of Cyprus this has proved to be an advantage in dealing with small integrated communities.

Conclusions. This brief and very incomplete account of crime in Cyprus leaves many gaps which need to be filled in. It also leaves many aspects unexplained and the unfortunate absence of documentation, for the earlier years especially, is a great handicap to any serious study of the past.

The deficiencies are appreciated, however, and more information is likely to be forthcoming in future years. These should be significant years in the social development of the colony and it will be interesting to compare the results of changes in Cyprus with the known effects in more developed European countries.

Very generally it can be said that, with the exception of homicide, delinquency in this island does not compare with the seriousness of crime in Europe, and especially that juvenile delinquency has so far been held in check despite profound changes in the economic and social life of the people and the well-known problems of growing towns. The emphasis that has been laid in the various studies of delinquency upon the value of strong family life might well be reinforced by the picture in Cyprus where family life is certainly one of the strongest features of the social structure. Indeed it is the very strength of these family ties which has made homicide in Cyprus the problem that it is—a problem, however, which is still not so serious in character as that presented by the proportionately fewer but more vicious murders in Europe.

W. CLIFFORD,

*Head of Social Welfare Department,
Cyprus Government.*

CRITICAL NOTICES

TOWARD A GENERAL THEORY OF ACTION. By Talcott Parsons and Edward A. Shils (Editors). (Harvard University Press. 1951. Pp. xi + 506. \$7.50.)

Sociologists everywhere are watching with close attention and eager expectation the developing ideas of Professor Talcott Parsons and his circle as they are precipitated on to paper and given to the world. The story may be said to begin in 1937 with 'The Structure of Social Action', Parsons' first major work in the grand manner. Various articles followed, and then the stream burst into spate with the publication in quick succession of three books—the one under review here, which is a loosely constructed symposium, 'The Social System', of which Parsons was the sole author, and 'Working Papers in the Theory of Action' by Parsons, Shils and Bales. The first two were more or less simultaneous in conception and represent two statements of the theory in the same phase of its evolution, but differently elaborated, together with some comments and reflections by participant observers. The third book marks a considerable step forward, with important changes of structure and emphasis; the former participant observers have withdrawn and in their stead a prominent part is played by Professor Bales, to whom much of the advance is attributed by the two original partners.

In these circumstances it may seem that the book we are looking at is of only historical interest. But this is not so; the foundations are here, and they have an appearance of solidity compared with the later additions, which still have something of the air of temporary, or experimental, structures which may not be built finally in exactly their present shape. It is important that those who may regard with some alarm the volume and the complexity of the writings of this group of thinkers should be encouraged to study the basic principles of the theory before they plunge into the elaborations, which are both less stable and more challenging.

These basic principles are set out in Parts I and II of this book. Part I is a joint statement by nine distinguished scholars, and surely, in view of its complexity and novelty, their consensus is a phenomenon without precedent. Part II is the real core of the book, an exposition of the theory by Parsons and Shils, and it is noteworthy that frequent reference back to it is made in the later works as to an authoritative text. The second half of the book consists of six chapters by the participant observers, which have varying degrees of relevance to the central system.

To summarize this theory in a brief review would be impossible, and one may be permitted to refer to Professor Sprott's admirable article 'Principia Sociologica' (*British Journal of Sociology*, September 1952) as the shortest summary that the nature of the subject matter allows. But the interested student might do better to begin by reading Parts I and II of this book—especially Part II. In doing so he should open his mind wide to receive and respond to all messages identifying the route chosen by the expedition and try to see up to which one in the series of camps marking the ascent he is prepared to follow. If he finds that he is doubtful about a swing to this side or that halfway up, he should not conclude that the route was wrong from the start and, to drop the metaphor, he should resist the discouraging effects of cumbersome language and too much elaboration *in vacuo* (but that becomes a more serious matter in the other books).

The theory claims our notice and excites our hopes first and foremost because it sets out to find a way by which psychological and sociological analysis can be brought within one frame of thought without either being reduced (as so often happens) to the position of a mere appendage of the other. There are, it is maintained, three systems—of personality, society and culture. All three can be analysed with the aid of the same apparatus because they interpenetrate and reflect one another in a way that makes the isolation or independent understanding of any one of them impossible. One of the essential links between the personality and social systems is the rôle. The rôle is the unit of social structure objectively examined in terms of its functioning; and rôle expectations give the interpretation of the situation in which social action and interaction take place. Personality expresses itself through the rôles it plays and the way in which it plays them.

Criminologists may well feel that there is something here for them. They are faced with the difficulty of blending the study of crime as an expression of personality types with the study of crime as a product of social systems and situations, and also of blending the treatment of crime as a social malady with its treatment as a personal failure. If they wish to see what Parsons has to say that might be helpful on these points, they should read in particular the chapter on 'Deviant Behaviour and the Mechanisms of Social Control' in 'The Social System'. In doing so they will be putting the basic principles of the theory to a severe test, by asking it, as it were, to harmonize Freud with Durkheim—which is, in fact, very much what it sets out to do.

Looking at the theory in this broad way as indicating a line of approach to the problems of sociology, one may make two general comments. To analyse both the social system and the personality system *down* to a common unit of social action may seem to offer a most promising line of attack. But is this what happens? Is not the identification of the unit the result more of a conceptual exercise than of a genuine analysis, and does not the real work take the form of discovering the social system by building it *up* out of these unit bricks? It is the old story of the relative rôles of the elaborated conceptual scheme and of empirical research. Secondly, the theory stresses systems and endows them with reality. It postulates the existence in *society* of meaningful structural patterns working in harmony. It envisages a clear line between system and anomie. There are signs that this concept of system is being pushed to a point where it becomes a danger. And yet, without some notion of system the comparative study of societies would be impossible. And without some notion of system there could be no concept of deviance save in restricted local settings, and no generalized concept of crime.

T. H. MARSHALL.

THE PSYCHOLOGY OF THE CRIMINAL ACT AND PUNISHMENT. By Gregory Zilboorg, M.D. (New York: Harcourt Brace & Co. 1954. Pp. 141. \$3.50.)

Those who can recall the pioneer excursions of psycho-analysis in the field of sociology will find Dr. Zilboorg's book more than a little nostalgic. Whereas, in the case of anthropological essays, the earlier analysts could bring to their self-appointed task a substantial number of analytical formulations, to which they had little difficulty in finding anthropological parallels, their essays on sociological

subjects were based largely on the application to the more sophisticated end-products of modern society of a few simple psycho-analytical generalizations regarding group-structure and function. Hence no doubt some of the depreciation, scepticism and occasional ribaldry with which their *ex-cathedra* pronouncements were greeted in the academic groves of sociology.

This state of affairs is well illustrated in the history of forensic psycho-analysis. In the first place the approach of psycho-analysis to criminology was extremely tardy and continued so to lag for many years: and, in the second, psycho-analysts failed for a long time to recognize that within this field lies a rich vein for clinical exploration, to wit, a varied assortment of 'pathological' crimes, meaning by this term anti-social or asocial manifestations which were either symptomatic of mental disorder or the psychic sequelae of organic disorders. Indeed it is only recently that psycho-analysts have bestirred themselves to mind their own business in this particular field, and to recognize the fact that it contains virgin evidence regarding the early development of the ego.

For these amongst other reasons earlier psycho-analytical essays on criminology were confined to suggesting that factors of unconscious infantile development, such as Oedipus disappointment (which is, incidentally, nowadays disguised under the misleading captions of 'lack of love', 'separation anxiety', etc.) rivalry, ambivalence, projection or perhaps one should say reversal of guilt-mechanisms, symbolism and the like, played a significant part in various types of crime. Freud's paradigmatic description of the 'offender motivated by unconscious guilt' was constantly quoted, and frequently reinforced by the sweeping generalization that the penal measures adopted by the law represent likewise a reverse action of conscience dictated by the unconscious guilts of the community.

These were the salad days of applied psycho-analysis, when no doubt the joys of applying a psycho-analytical touchstone to the social amalgams which had previously been the exclusive preserve of academic sociologists were reinforced by a secret urge *épater les bourgeois*, without any of the tedium incident to detailed clinical investigation and statistical control of cases. There was in fact a distinctly propagandist flavour about analytical essays on crime which, added to occasional undisciplined or partisan utterances of over-enthusiastic psychiatrists in the witness box for the defence, produced a counter-reaction in the judiciary that sometimes did not stop short of personal abuse. The jousting between Psychiatry and the Law got off to a fanfare of prejudice. To be sure it had existed in a less violent form from the time the M'Naghten rules were formulated but now the range of the conflict had widened from the degree of criminal responsibility in cases of murder to that existing in cases of theft, forgery, fraud, assault and battery, sexual misdemeanours, in a word to the full gamut of criminal offence.

These early days are vividly recalled by reading Dr. Zilboorg's book. Indeed, but for the fact that it received the Isaac Ray award and has presumably been rated as 'the most worthy contribution (of the year) to the improvement of the relations of the Law and Psychiatry', one might have conceived that the author's main object was to recapitulate for propagandist purposes those earlier psycho-analytical arguments about the nature of crime and punishment which passed muster as revolutionary in the nineteen-twenties but have nowadays no more to do with practical forensic psychiatry than Victorian physiology has to do with modern bio-chemistry. Current clinical work on 'pathological' crime, together with its

ramifications in the fields of educational psychology, social psychology, electrophysiology, and modern penal method would seem to have left Dr. Zilboorg solidly entrenched in his study armchair, that latter day equivalent of the ivory tower, ruminating about first causes of crime, only occasionally emerging to fulminate against the obscurantism of both psychiatry and the law.

To be sure many of the subjects with which he deals are still living issues ; the M'Naghten rules governing criminal responsibility, the failure of retributive punishment, the nature and function of psychiatric evidence, the confusion of aims to be detected behind penal methods or for that matter behind psychiatric approaches to criminology. But these issues can be dealt with efficiently on the basis, not of a few psycho-analytical generalizations, but of actual teamwork on the diagnosis, etiology and classification of pathological criminals, to say nothing of various experiments in treatment from ambulant therapy at out-patient clinics, to institutional rehabilitation and after-care. Dr. Zilboorg, it would appear, is still living in 1930, a date which marks the expansion of modern criminal psychiatry.

In these circumstances and in view of Dr. Zilboorg's avowedly crusading aim, it would be manifestly unfair to review his book as a scientific contribution either to law or to psychiatry or to criminology. It is essentially an essay in diplomacy and all one can reasonably ask is whether its publication will succeed in improving the relations between the law and psychiatry. This question, I fear, must be answered in the negative. It is much more likely to provoke the same reactions in judicial circles as those earlier 'reports to the Court', presented sometimes by a psycho-analyst, sometimes by an analytically minded psychiatrist, neither of whom had had the advantage of working at organized delinquency clinics or observation centres, consisting of some vague psychiatric generalizations padded out with descriptions, mostly unintelligible to the Court, of unconscious motives and constellations held to be responsible for the commission of the offence. These jejune productions were the joy of the diehard anti-psychiatric judge, a source of exasperation to those open-minded magistrates who were ready to adopt any reasonable course of action provided it took cognisance of the needs of the community and the resources of the Court, as well as the mental state of the individual criminal, and a disappointment to those rare but devoted members of the bench who were sympathetic to a psychiatric approach to their more puzzling cases. Dr. Zilboorg's animadversions on the legal approach to crime set in a compost of psycho-analytic aperçus regarding the unconscious factors affecting judge, jury, criminal and forensic psychiatrist alike are not calculated to appease the diehard ; nor are they close enough to the practical problems of the Court to satisfy the working magistrate. Like many writers on the psychology of crime, Dr. Zilboorg concentrates his attention mainly on notorious cases of murder, in which a psychotic or psychopathic element is not hard to detect ; consequently it is easy for him to make a case against the one-sidedness of the law. But it is scarcely fair to criticize law-officers for putting into effect the sanctions of the law which after all spring alternately from the unconscious and conscious codes of the community and, in democratic countries at any rate, are approved by the Witenagemot. A better case can be made by penal reformers against law-making and the most practical correlation is not between psychiatry and the law but between law-making and law-breaking. And in any event it is as important for the psychiatrist to be able to uncover the motivations of petty larceny where this is a manifestation of mental disorder.

One cannot but regret that the author was carried away by his moral indignation for there is certainly room for a reasoned, analytical exposé of the sociological motives which animate the law and of the psychiatric principles which regulate the clinical approach to the criminal; and Dr. Zilboorg is admirably equipped to produce the psychiatric section of such a twin volume. But it is vain to expect to bridge the gulf between psychiatry and the law except at those points where their respective aims are not mutually contradictory, where in fact the diagnostic and therapeutic procedures of the psychiatrist can satisfy at the same time the law's regard for the safety of the community and its demand for a prophylaxis, that is to say, deterrence of crime. The only convincing way to present this case is to document with clinical records the progress of forensic psychiatry from its first almost intuitive beginnings down to the statistically controlled team-researches of the present day.

This is only another way of saying that the psychiatrist in the law court should stick to his last. As a titular expert in the diagnosis and treatment of mental disorder it is no part of his duty to enter into considerations which are more properly the concern of the social psychologist. To the social reformer this may appear an over-timid and conservative attitude. And it is certainly true that when the sociologist engages in penal reform he is much more sweeping in his approach than the psychiatrist: he takes all varieties of crime in his stride, irrespective of whether or not they are 'pathological' in type. Nevertheless the sociologically minded psychiatrist can find ample outlet for his public interest in delimiting the boundaries of criminal psychopathy, a clinical group that straddles the frontier between pathological crime and ordinary law-breaking. When this task is accomplished it may be possible to extend the scope of the psychiatrist to include so-called 'normal' cases of law-breaking. In the meantime propagandist efforts in this direction may will be left to the sociologist who indeed can follow no other course.

E. G.

THE BLACK MARKET. A STUDY OF WHITE COLLAR CRIME. By Marshall B. Clinard. (New York: Rinehart & Company, Inc. 1952. Pp. xvii + 392. \$5.)

With this study of the American black market during the second world war Professor Marshall B. Clinard of the University of Wisconsin has made a major contribution not only to the sociology of crime, but also to the sociology and ethics of American business and society at large. Greatly assisted by his first-hand experiences as a war-time member of the Enforcement Department of the Office of Price Administration (O.P.A.) in Washington, he has produced the first comprehensive picture of black market activities and a penetrating analysis of the causal factors behind them. As could be expected from one so close to the work of the late Edwin H. Sutherland, he makes the fullest use of the material at his disposal to test the validity of Sutherland's theories on differential association and white collar crime. In view of the vast scope of the subject, he confines himself mainly to three aspects, the black market in meat, gasoline and rent, but in spite of important differences between them, they show enough common features to make the story representative of the whole field.

The extent of the American black market and the difficulties confronting the administration, as described in the first three chapters, must have been truly enormous. An enforcement staff of fewer than 3,000 investigators and some 600

attorneys had to conduct over a million investigations leading to over a quarter of a million sanctions of some kind or other—figures which, though large in themselves, bore hardly any relation to the actual volume of violations. Sanctions could be criminal, civil ('treble damages') or administrative (licence suspension, etc.), and this variety of available sanctions, although fully justified, produced some serious problems. Neither the offenders nor the public had any clear understanding of the differences between these sanctions and the principles governing their selection, and most of the 'non-criminal' cases might just as well have been treated as criminal. In those not too frequent cases, not quite 14,000, in which criminal proceedings were instituted, the penalties imposed were mostly inadequate, with imprisonment, in spite of its strongly deterrent effect on this type of law-breaker, used in only about 3,000 cases. The percentage of first offenders was of course very high among black marketeers. Many of the judges showed just as little understanding of the full implications of the black market as did large sections of the trade, the press and the public. In its faithful portrayal of the attitudes of various sections of the community and of the characteristics of this important section of white collar criminals lies one of the special merits of Professor Clinard's book. He convincingly disposes of the theory that this type of offender was found mainly among individuals with long histories of ordinary crime or among recent immigrants not yet sufficiently steeped in the traditions of American culture, and he shows that the black market was primarily due to 'certain cultural and ethical definitions in business' which produced a fairly general consensus of opinion among businessmen that the black market was all right and the fault all with the Government. Sutherland's theory of differential association is found to hold good in many, though not in all, cases of black market offenders, but individual personality factors, so often neglected by Sutherland, are always given their due weight.

Naturally, all this leads to a discussion of the fundamental question dealt with in Chapters 9 and 10: Are black market violations real 'crimes'? The author, essentially in agreement with Sutherland, argues that sociologically they are crimes, even where they may not be so in the strictly legal sense. In view of the state of the existing controversy on this important point, the position, as it appears to the present reviewer, may be briefly stated: To avoid confusion, it seems to be advisable to restrict the use of the word 'crime' to what is punishable by the criminal law, regardless of whether it is actually so punished or whether, as in most of these black market cases, civil or administrative sanctions or no sanctions at all are imposed. The fact that sociologically many other forms of human behaviour may appear to be just as anti-social and just as suitable for criminal action nevertheless remains a matter of the greatest interest to the criminologist, one of whose functions—as rightly stressed by Professor Clinard—is to study human behaviour from this angle and to provide the material needed for criminal law reform. Seen in this way, the present controversy between lawyers and sociologists should easily dissolve itself, and it might also be better understood that, for reasons well explained by Professor Clinard, the legislator has to be given discretion in suitable cases to place various forms of legal sanctions at the disposal of the competent authorities.

REVIEWS

THE PROBLEM OF HOMOSEXUALITY. (An Interim Report. Produced for the Church of England Moral Welfare Council by the Church Information Board. With a foreword by the Bishop of St. Albans. Pp. 27. 2s. 6d.)

This 'interim report' is stated in a foreword by the Bishop of St. Albans to be the work of a small group of Anglican clergy and doctors. It consists of an introduction and five sections. The introduction states the aim of the finished work. The first section is devoted to a description of variations of the homosexual pattern. It is unfortunate that the authors have attempted to separate the homosexual from the bisexual and the pervert. The latter is defined as one who is not homosexual but a heterosexual who engages in homosexual practices. Anyone with clinical experience is likely to query this from the onset. The second section is concerned with predisposing and precipitating causes. This is adequate and the only criticism which can be made is that the authors state that 'the possibility of a congenital origin cannot be ruled out in some cases' in spite of the fact that no valid genetic evidence has ever been produced. They rightly recognize the enormous influence normal home life and normal parents have on a child's development. They do not recognize under either predisposing or precipitating causes the effect of prolonged separation from the opposite sex as a factor. This in spite of the influence of imprisonment on some men and the effect of desert and jungle warfare in the last war. The third section deals with the moral and religious aspects of homosexuality. The usual retort which the homosexual gives to any moral suggestion is that since he is such by divine intention it is not his responsibility that he behaves as he does. The report does not deal with this very natural reply but gives various suggestions regarding sublimation and forgiveness. The fourth section is concerned with the law and male homosexuality. It points out some legal anomalies and uses a strong argument that if homosexual practices are to be legally condemned and punished so should extra-marital ones also. Naturally everyone condemns interference by adults with children of either sex. However, the great evil done by adult homosexual practices, even with consent, is that they tend to prevent immature young men from reaching maturity. The fifth section deals with statistics of incidence.

The report very properly notices the dangers of suicide and blackmail which result from the present state of the law and suggests that the age of consent should be raised from 16 to 21 years, if the law be relaxed in favour of homosexual practices. We believe that even then it would be deleterious to young people and that 30 would not be too young.

Everyone interested in sexual abnormality will find this report interesting, but many who are not Anglican will disagree with the moral aspects.

CLIFFORD ALLEN.

THE PSYCHIATRIST AND THE LAW. By Winfred Overholser. (New York: Harcourt, Brace and Company. 1953. Pp. 147. \$3-50.)

Dr. Overholser was the first recipient of the Isaac Ray Award, made by the American Psychiatric Association annually for the 'most worthy contribution to the improvement of the relations of Law and Psychiatry'.

The first section deals briefly with the history and present attitude of psychiatry towards the law. It is clear that this section, at least, is intended for an audience with no previous knowledge of psychodynamics. The discussion of psychological theory is brief, but very succinct.

By contrast, the second section studies the differing viewpoints of the legal and psychiatric professions towards their common problems. This chapter is the most valuable of the four, though it is disappointing to find so much concentration on the problem of the delinquent actually before the Court, and so little emphasis on preventive or 'curative' measures. The former are almost ignored whilst references to the relationship between psychological theory and the methods of punishment or rehabilitation are for the most part indirect.

In the third lecture, Dr. Overholser gives a comprehensive account of the law relating to Mental Hospitals, and to the admission and discharge of patients from these hospitals, in the United States.

For his final chapter, the author turns again to the actual practice of the Courts. He discusses the present rôle of the psychiatric witness and contrasts this with the rôle which the psychiatrist could and should adopt if he is to give the maximum benefit of his skills to the Court, to the offender and to the community.

Throughout the book the style is lively and clear. The text is illustrated by brief quotations from British and American judicial *obiter dicta* and from the reports of many famous legal cases. These quotations are often tantalizing in their brevity; but the Bibliography, though lacking in the more usual references on the topic, gives a wealth of sources of this more 'human' material. The book would make an excellent introduction and primer for those lay and professional people who are facing this problem (as opposed to merely encountering it) for the first time.

T. A. RATCLIFFE.

THE FACE OF VIOLENCE. By J. Bronowski. (London: Turnstile Press. 1954. Pp. 128. 9s. 6d.)

In Dr. Bronowski's morality play Mark, an ex-prisoner of war, is mysteriously impelled to search for a man called Crump, whose brutality in the prison camp has left a lasting and disturbing impression upon him. But where should he look for such a man? In the thieves' kitchens? In the dives on the water-front? In the offices of high-powered crooks? In none of these places. Mr. Crump is just an ordinary little man, like you or me, and is found listening entranced to an orator spouting rebellion in Hyde Park. 'For violence has a human face.' His journey is watched by the Heavenly Twins, made heterozygous in the interests, we assume, of vocal discrimination on the air, Pollux and Castara, who play the part of Greek chorus.

The play itself is preceded by an essay, in which Dr. Bronowski develops his thesis: the inevitable conflict between man and society. Man has two needs: social order and individual satisfaction. His nature as an animal and as an indivi-

dual rebels against the restraints of society. Down the ages we can see the conflict dramatized in the story of the Sphinx, the beast with the human face, in the killing of the priest-king, in the Saturnalia, in the picaresque novel, in the romance of the highwayman, and in the modern fashion of detective stories. It is not a matter of just a few perverted characters; we all harbour a need for independence and for recognition. In modern impersonal societies our plight is worse, and the lure of rebellion and the romance of the rebel lie deep in the hearts of us all; the more ordinary we are, and the more insignificant, the readier we are to respond. And the danger? The danger lies, not in isolated acts or dreams of violence, but rather in the possibility, ever present, that our hunger for revenge against a social order that cramps us and reduces us to ciphers may be mobilized by unscrupulous leaders, who will, paradoxically enough, lead us into an even more constricting social system. The theme, it must be admitted, is not new, but seldom has it been expressed so vividly.

W. J. H. SPROTT.

TRAMP AT ANCHOR. By Jim Phelan. (London: George Harrap & Co. Ltd. 1954. Pp. 235. 12s. 6d.)

EIGHTEEN MONTHS. By Anthony Heckstall-Smith. (Alan Wingate. 1954. Pp. 240. 10s. 6d.)

Books by ex-prisoners are always valuable. But their value lies less in the description of prison administration itself—important though that may be—than in the impact of imprisonment which is revealed, and in the attitude which is displayed towards themselves, their offences, and their fellow prisoners and their jailers. In fact, such books are about human relations, whereas the other kind of prison book, that of the administrator, is almost wholly confined to the description of organization.

By definition, ex-prisoners are people who make faulty judgments, and their reaction to punishment or, indeed, any unavoidable set-back, tends to be abnormal. With a rare flash of insight, Jim Phelan, in his latest book, 'Tramp at Anchor', writes of himself as 'a person who walks away from unpleasant things'. Besides, there is no particular incentive for them to be judicious. Their motive is to sell what they write for the highest price they can get, and they can get a lot more if they pitch it strong. A secondary, perhaps subconscious, motive is to evoke the strongest possible feelings of guilt in us for having allowed these things to have happened to them. Sometimes there is a third motive—namely to improve conditions for those who come after them.

No such consideration appears to have inspired either of the two books here reviewed. The first is mainly what Mr. Phelan remembers of himself at Dartmoor a generation ago; the second one mainly about the reactions of Mr. Heckstall-Smith to Maidstone now. Both write well; Mr. Heckstall-Smith all of a smooth piece, Mr. Phelan in gritty, knobbly bits, peppered with striking images, and occasionally softened by a poetic Irishry. 'Eighteen Months' is probably the more interesting for readers of this Journal. Maidstone was a bewildering and unsatisfactory experience for Mr. Heckstall-Smith whose views on capital and corporal punishment coincide with those of the Lord Chief Justice. He would, one feels, genuinely have preferred Wandsworth or Dartmoor. He disapproves of the idea of training, and is puzzled by it.

Both he and Mr. Phelan found most of their fellow prisoners intolerable and sought to erect high barriers between themselves and others. Mr. Heckstall-Smith is shocked at the language used by prisoners and officers alike; Mr. Phelan takes it for granted. Both seek to show that the values and standards of the majority tend to pervade the minority and, to some extent, influence everyone in prison. Both remark on the frightening tendency to withdraw into daydreams and phantasies, and both are worried by the problem of homosexuality and the whole question of sexual outlet.

HUGH J. KLARE.

SOCIAL BEHAVIOR AND PERSONALITY. Contributions of W. I. Thomas to Theory and Social Research. Edited by Edmund H. Volkart. (New York: Social Science Research Council. 1051. Pp. ix + 338. \$3.00.)

'There is', P. Young wrote in 1939, 'perhaps no other single sociologist who has so profoundly influenced American field research students as has Dr. Thomas', and, according to R. E. Park, it was Thomas' work that established the tradition of sociological research at Chicago; but when he died in 1947 at the age of 84 all his books were out of print and his articles generally unavailable. In publishing this collection of some of his scattered writings the American Social Science Research Council and the editor have made an important contribution to the history of modern sociology. However, the criminologist, too, has every reason to pay close attention to the contents of this volume. While there is no need to dwell upon the significance to criminology of Thomas' main works such as his (and Znanietzki's) 'The Polish Peasant in Europe and America', of his 'Unadjusted Girl', or of his anthropological study of 'Primitive Behavior', his shorter, but no less penetrating, reflections on the methodology of criminological research, on personality types, on the technique of case studies, on group problems, and many other subjects still give much food for thought. In the present volume, the material has been arranged under four main headings: Social Science and Social Behavior; Social Behavior and Personal Dynamics; Social Behavior and Cultural Dynamics; Personality and Culture. The editor has been highly successful in his selection and in contributing not only a full Introduction, but also a series of useful explanatory notes to the various sections and a large number of bibliographical footnotes. There is also a Bibliography of Thomas' writings and a Biographical Note.

H. M.

THE TOOLS OF SOCIAL SCIENCE. By John Madge. (London: Longmans. 1953. Pp. x + 308. 25s.)

In this book the author has set out not merely to describe the methods which the social scientist uses in his study of society but also to assess the assumptions on which these methods rest. He has no special concern for delinquent behaviour, yet criminologists, in common with others, will feel grateful for such a clear and succinct account of the way in which social scientists approach their subject.

Throughout the work he recognizes the fundamental difficulty facing the social scientist, unlike the worker in the natural sciences, the problem of objectivity. He accepts this situation and does not try to escape from it by an insistence on statistical

method as the only reliable procedure. After an introductory chapter on the use of language and logic he goes on to discuss the place of documents, of observation, of the interview, and the conduct of the experiment.

Criminological research is becoming increasingly dependent on a multi-discipline approach. This is a book which will provide a reliable foundation on which an inter-disciplinary methodology of research can proceed. Although the author writes as a sociologist he takes care to relate the methods of sociology to those of other disciplines whenever possible.

The publishers commend this work as a text-book for students. Its greatest value, however, may well lie with the more experienced worker whose clinical or experimental work enables him to utilize the theoretical analysis provided by Mr. Madge to his own practice.

JOHN SPENCER.

THE SECOND SEX. By Simone de Beauvoir. Translated and edited by H. M. Parshley. (London: Jonathan Cape. 1953. Pp. 702. 50s.)

This handsomely produced volume is perhaps the most comprehensive study on the social-psychological status of woman that has been produced for a very long time. In scope alone it surpasses Havelock Ellis's work and in depth it probes as deeply as psycho-analysis, although the author does not accept the conclusions drawn by Freud and his school. In a Journal of a specialist kind it is impossible to do full justice to a book which approaches the subject of woman from the angle of anthropology, sociology, literature and medical psychology, but Mlle. de Beauvoir's brilliant and trenchant writing deserves the serious attention of all who have to do with human behaviour. Indeed, there is much in this book which will help the student of delinquency to view the aberrations of feminine behaviour in a new light.

The main thesis of Mlle. de Beauvoir is that, as a result of the social anthropological development of the human species and in virtue of the special biological burdens that have fallen upon woman, her essential human qualities, which she shares equally with man, have been left undeveloped. Men have developed a myth of woman which, while putting her in an exalted ethical position, has prolonged her subjection, accentuated her biological functions, putting her forever in a spiritual purdah, despite the emancipation, both social and economic, which she has increasingly enjoyed in the last century.

Mlle. de Beauvoir brings the whole weight of existentialism to bear upon the problem and perhaps obscures the issue by the use of its special vocabulary; moreover she seizes too readily upon likeness to the exclusion of these fundamental differences between the sexes which are no indication of superiority or inferiority on either side. Perhaps the best rejoinder to this attitude is to be found in Tennyson's *Princess*:

'... let her make herself her own
To give or keep, to live and learn and be
All that not harms distinctive womanhood
For woman is not undeveloped man, but diverse...
Not like to like, but like in difference.'

E. M.

DAS FINNISCHE STRAFGESETZBUCH. Übersetzt von Dr. Brynolf Honkasalo, Professor in Helsinki. Sammlung Ausserdeutscher Strafgesetzbücher in deutscher Übersetzung No. 66. (Berlin: Walter de Gruyter & Co. 1954. Pp. xii + 110. DM 11.60.)

Unlike the Yugoslav, Czech or Danish Codes (see *B.J.D.*, iv, p. 214), the Finnish Penal Code of 1889 has no claim to be regarded as a modern piece of legislation. Even so, the present translation is welcome as it enables us to study certain unusual features of this Code, as, for example, its provisions on payment of civil damages for crime (Chapter 9). The principle '*Nullum crimen, nulla poena sine lege*', so customary in Continental Codes, has apparently found no place in Finnish law. In addition to the Code itself, several special Statutes and Decrees are also included in this edition, in particular the Decree on the execution of penalties of 1889 and the important Act on the treatment of dangerous recidivists of 1932. While still adhering to the traditional 'dual-track' system of providing measures of security (preventive detention) in addition to punishment proper, which was the system of the English Prevention of Crime Act, 1908, the Act of 1932 introduces a special Prison Tribunal which has power to order the transfer to an institution for preventive detainees of a recidivist who shows no signs of reform in prison. (See on this Norval Morris, 'The Habitual Criminal', 1951, p. 199.) There is also a translation of the Juvenile Offenders Act of 1940 and a brief historical introduction. The translation is throughout clear.

H. M.

THE JUVENILE OFFENDER. By G. L. Reakes. (London: Christopher Johnson. 1953. Pp. ix + 182. 10s. 6d.)

This book by the Chairman of the Wallasey Juvenile Court with a foreword by Mr. Justice Lynskey is not merely pedestrian but in places seriously misleading. It makes no new contribution to existing knowledge and is an unreliable source of information to the layman. The most satisfactory chapters are those where Mr. Reakes has confined himself to describing the operation of the court, the probation system, or the reformatory system in general. On the other hand where he sets out to discuss the causes of crime, the function of corporal punishment, or the use of psychiatry, he makes dangerous generalizations unsupported by little more than popular opinion.

No reference is made to the fairly considerable literature of his subject beyond a single reference to a book on psychological disorders. One gets the impression that his knowledge of psychiatry is derived mainly from this source. 'Theoretical students of social science' (p. 14) are castigated for their ignorance of parental irresponsibility. Comics, gangster films, easy-going school administration, books of a questionable type and the television are all to blame. The effects of emotional deprivation in early childhood are given one short paragraph, while the results of idle or bad parents are magnified. Cases are quoted without adequate discussion of their early history. The restoration of the power of birching to juvenile courts is seriously advocated. Neither an index nor a bibliography is supplied.

This is not a book that can be recommended as a positive contribution to the literature on delinquency.

JOHN SPENCER.

LES DÉCISIONS DE JUSTICE. Étude psychologique et judiciaire. By François Gorphe. (Paris: Recueil Sirey. 1952. Pp. 191.)

The present reviewer finds it difficult to do full justice to this most recent book of the eminent French judge. Coming from the author of that classic, 'La critique du témoignage', it is somewhat disappointing. Needless to say, the subject is discussed with great learning, and here as in his other works the author displays his comprehensive knowledge not only of French but also of German and Italian legal and psychological literature. However, our enjoyment of the numerous quotations and footnotes from German sources is slightly marred by misprints too numerous to be mentioned and occasionally making it almost impossible for the uninitiated reader even to guess the meaning (e.g., p. 102, fn. 17: 'Vorsicht im Schwurgericht', instead of 'Vorsitz im Schwurgericht'). More important than such shortcomings, however, is the impression that in what is essentially a non-historical legal and psychological analysis of judicial functions the author has too exclusively relied on pre-first world war ideas and sources. Nevertheless, many apposite remarks can be found, especially in the second part of the book, on such matters as trial by jury, where the author thoroughly approves of the present French system in which the jurors have been given a far larger share than in English law; on the impossibility of clearly separating 'law' and 'facts'; on the rôle of the expert in criminal trials, or on the different mentality of lay magistrates and judges. While stressing the greater emotionality of the former he makes no attempt to deny that professional judges, too, may be swayed by emotions and prejudices. He even acknowledges the contribution made by 'la nouvelle science phychoanalytique' to the understanding of the psychology of the criminal, with the characteristic proviso, however: *On a remarqué que l'attitude sympathisante facilite la connaissance d'autrui ; mais précisément les criminels sont plutôt antipathiques ; à leur égard, il faudrait s'élever à des sentiments humanitaires supérieurs*. Clearly, it is not only with the criminal but with much of modern criminology, too, that the distinguished author is largely out of sympathy.

H. M.

AS NOVAS DIRETRIZES DA CRIMINOLOGIA. By Gilberto de Macedo, *Professor of Psychology, Alagoas, Brazil*. (Maceio. 1953. Pp. 108. Price not stated.)

This is a collection of brief essays, many of which were contributed to the *Jornal de Alagoas* or its literary supplement. The author seems to have read the literature on the subject emanating from the United States, Great Britain, France, Italy, Germany, Spain, the Argentine and Columbia, as well as Brazil. In the course of his reading he has discovered quite an outcrop of fresh young sciences such as Agressology, Criminal Biotypology and Biopsychology and Correlative Pathology, in addition to certain new techniques such as Criminal Psycho-therapy. He makes a passionate appeal for the unification of criminology on the basis provided by these sciences and techniques and for the reform of the law which they demand. His most passionate appeal is for the widespread application of psycho-analysis to the treatment of juvenile delinquency and group psycho-therapy for the treatment of the adult criminal. Where the necessary staff are to come from he does not venture to say.

MARK BURKE.

COLOUR PREJUDICE IN BRITAIN. By Anthony H. Richmond. (London: Routledge & Kegan Paul Ltd. 1954. Pp. 184. 18s.)

Between 1941 and 1943 some 345 men came to Britain from the British West Indian territories under a special scheme organized jointly by the Ministry of Labour and the Colonial Office. The men were either skilled or trainee technicians, and the primary object of the scheme was to supplement the supply of skilled labour available for war production in the North-West of England. All the men were 'coloured', ranging from pure Negro to light-skinned, and this book is a study of their experiences in Britain, of their adjustment to their new social environment, and of the degree to which they were assimilated into English society.

The author sets out to analyse the material in the light of a few well-known hypotheses which have been in general circulation for some time; these are (1) the 'In-group/Out-group hypothesis', (2) the 'Status/Security hypothesis', and (3) the 'Frames of Reference/Communication hypothesis'. Given these basic formulations Mr. Richmond develops a lucid argument, refreshingly free from jargon, and marred only by a tendency to unnecessary repetition, and if the intrinsic interest of the data themselves is more engaging than the theoretical conclusions this is perhaps no fault of the author, but rather derives from the limited scope of the study.

The conclusion that racial prejudice in Britain has now become a problem calling for official action is inescapable, and Mr. Richmond's suggestion that the time has come for positive legislation against discriminatory practices is a sound one. Many of the processes described as operating within and against this ethnically defined minority will no doubt be found in a slightly modified form in other sections of the British population, and the student of deviant behaviour will find much of interest in the account of the efforts of these men to adjust to a situation in which they were faced with constant frustration in their attempts to gain social acceptance, and the disastrous results which ensued when some of the men were forced into abnormal alternatives.

R. T. SMITH.

WHO ARE THE GUILTY ? By Dr. David Abrahamsen. (London: Victor Gollancz. 1954. Pp. 313. Bibliography and Index. 13s. 6d.)

In the April 1954 issue of this journal, the reviewer of Dr. Neustatter's 'Psychological Disorders and Crime' showed some surprise that Dr. Neustatter in his 'systematic presentation of the psychiatric aspects of crime' broke new ground—ground which ought to have been broken long ago. Now Dr. Abrahamsen's book on the same subject has appeared and it should be welcomed by all those men and women, professionally qualified or lay, who, with no deep knowledge of the subject, want to know why men, women and children become offenders, and why, in particular, some Tom Jones or Moll Flanders has become an offender. A further welcome should come from those who want to know how modern psychological medicine teaches us to cope with the offender and so with our Tom Jones and Moll Flanders. Dr. Abrahamsen has avoided quoting untypical, exotic and (necessarily) touched-up case histories and the no-less-misleading and unhelpful accumulation of 'bloodless categories' and types.

The first three chapters, in fair detail, explain why the psychiatrist is interested in the offender and which offenders merit his interest and can be helped by him. The second (the longest) part outlines the general Freudian theory of the development of personality and applies it to both the normal personality and that of the anti- or the a-social. It goes on to apply it to specific types of crime, and in three general chapters, 'The Psychology of the Criminal', 'Crime and Mental Illness' and 'Delinquent Types', there is an epitome of what I hope may one day be a much larger and more technical book by the author. The two chapters, 'Crime and Mental Illness' and 'Psycho-Somatic Disorders in Anti-Social Behaviour' together offer the layman the best brief justification (of which I am aware), of the view that there is the closest connection between the psychological mechanisms which lead one unfortunate to become a neurotic or a psychotic, and which lead another to become a criminal. The author usefully (pp. 136-42), if shortly, summarizes the main psychological differences between the neurotic person and the criminal, but perhaps is not sufficiently emphatic that the two groups often include the same members. If I have any criticism of Dr. Abrahamsen's discussion of etiology, it is a minor criticism that in his laudable eagerness to demonstrate the socio-personal factors in the development of the criminal personality, he has a slight disinclination to avoid such biological factors as innate intelligence and various well-known physical factors such as encephelitis. The third part deals with treatment and prevention and covers not only the orthodox approaches both penal and medico-psychological (on the way clearing aside many misconceptions that the uninformed often have about the latter), but stresses heavily the rôle of the school and of mental health education in general in minimizing and in noticing in time the 'odd man out'—be he offender potentially or a neurotic or psychotic. The author, without nagging or preaching, points out the rôle of the criminal lawyer, the judge, the magistrate, the legislator, saying 'it is time for psychiatry and criminal law to work together in such a way that they will no longer conflict but will coincide'.

LEONARD BLOOM.

THE TRUTH ABOUT DARTMOOR. By George Dendrickson and Frederick Thomas. (London: Victor Gollancz Ltd. Pp. 240. 12s. 6d.)

The two authors of this book are ex-prisoners recently released from Dartmoor. It is, however, quite clear that the book was written by a third party from information supplied by them. As a description of prison life it is valueless. It is anecdotal, discursive and contains many inaccuracies. It brings charges of brutality and homosexuality against members of the staff: it states categorically that prisoners who assault prison officers are always taken into a cell and beaten up; homosexual relations between certain officers and prisoners are described as 'too commonplace to be worthy of discussion.' At times the authors show a credulity which is quite surprising. It is not a book to be taken seriously.

GEORGE BENSON.

EDUCATING THE SUB-NORMAL CHILD. By Frances Lloyd. (London: Methuen & Co. Ltd. 1953. Pp. 148. 11s. 6d.)

This is a well-conceived and well-documented plea for the treatment of mentally sub-normal children in schools equipped for and dedicated to that service. It offers detailed advice as to methods, procedures and activities suitable for such boys and girls, and in a series of case studies it indicates the means by which help has been given to children with differing problems. The author is convinced of the essential educability of such children and of the importance of providing for the satisfaction of their basic psychological need to find appreciation of the contribution they can make through participation in the simpler tasks of the community. Her findings are in line with current evidence in the field of learning and with current emphasis on the significance of personal acceptance and the contribution which creative work, however elementary, can make to the achievement of emotional balance. The book is, however, unusually useful in that it gives exact descriptions of a wide variety of classroom situations, parental attitudes, and children's reactions—along with clearly worded accounts of treatment given and changes occurring.

Unsubstantiated claims are not made; but the whole is encouraging in its tone and wise in its emphasis. On all these counts it is a book to buy.

C. M. FLEMING.

THE HEART IN EXILE. A Novel by Rodney Garland. (London: W. H. Allen Ltd 1953. Pp. 296. 12s. 6d.)

The publishers state that this is amongst the most compelling and, incidentally, unusual of books. However, it is not so. The story is that of a young homosexual psychiatrist who investigates the suicide of a young man to whom he has had an attachment in the past. Ostensibly this investigation is undertaken because he is treating the girl who had been engaged to the young man, but really it is because he feels that the suicide implicates him in some way. Since the inquest has been settled with a satisfactory verdict it is difficult to know why he should think that such is the case, and so his actions seem to lack an adequate motive.

The real theme of the book is homosexuality and the secret ways of homosexuals in the world today. This is what the author calls 'The Underground', and which seems to have a peculiar fascination for him. The characterization is somewhat odd. For example, psychiatrists have been accused of many things in the past, but few, if any, have been accused of being homosexual. Inversion is peculiarly strange in the narrator since he states that he has been analysed. Why did the analysis not cure his abnormality; or, if this was incurable, why was he not advised to seek some other branch of medicine? No, he is actually told that his inversion gives him a better insight into others. The narrator implies that eminent American psychiatrists are homosexual, and that the senior consultant in psychiatry on a big London hospital is infanto-sexual. It is, indeed, a queer psychiatric world in which we find ourselves in this book.

If this book fails as a novel, does it provide what is called a social document? Does it inform one of the lives and customs of inverts? It does to some extent, although perhaps not so much as Donald Webster Cory's 'The Homosexual Out-

look'. Most people know all that there is to know: the rendezvous, slang, mannerisms and dress of the abnormals. It is easy to guess at a submerged society which is not restricted by class and which pervades all levels of society.

It would be unfair to condemn this book out of hand. The author shows some definite powers of characterization which he could turn to good use if he would use them on types of people he knows, and could find a more compelling theme for his narrative ability.

CLIFFORD ALLEN.

ABSTRACTS AND REFERENCES

(Under the direction of W. R. Bett, with the co-operation of Augusta Bonnard, Maxwell Jones, T. P. M. Morris and John C. Spencer)

CRIMINOLOGY

JANINE SEGERS : 'The Psychology of Joining in the Formation and Activities of Criminal Gangs'. *Revue de Droit Penal et de Criminologie*. July 1954, **10**, 858-75.

The greater part of the article is concerned with the author's findings in regard to the five questions which she poses as follows: (1) What is the origin of criminal gangs? (2) How do they become organized? (3) What are the modalities for their activity? (4) When and how do they select their leader? (5) How does the recruitment of gangs operate?

She concludes with the plea that all members of such gangs should be indicted and punished, even when they have not been physically present at a known crime. Only in this way can a criminal gang be truly broken up. She sees it as a kind of corporate entity capable of restoring itself, even when some of its members have been disposed of. She speaks of the 'intellectual bond' that interpenetrates the gang members and its recruits, and which in psycho-analytic parlance would be translated into the term 'identification'.

A. B.

ROBERT VOUIN : 'Rehabilitation, the principle and its effects'. *Revue de Droit Penal et de Criminologie*, May 1954, **8**, 699-708.

The word 'rehabilitation' is to be understood in its legal sense of subsequent restoration of privileges after judicial punishment has been undergone. It is discussed (1) in terms of disposing of the incapacities which follow from being inscribed as a guilty person who has received sentence by a Court, and (2) conditions and considerations for expunging the wrongdoing, whether civil or criminal.

A. B.

JOSEPH J. MICHAELS : 'Delinquency and Control'. *American Journal of Orthopsychiatry*, 1954, **24**, 258-65.

The sociologist A. J. Reiss had discussed delinquency as the failure of personal and social controls. Dr. Michaels, writing from a psychobiological viewpoint, suggests a similar approach within an inter-disciplinary frame of reference. He illustrates

this from the relationship of persistent enuresis to juvenile delinquency and psychopathic personality and points out that a general pattern of lack of control, individuated in persistent enuresis, permeates the whole personality in the type of delinquent and psychopath in whom enuresis has persisted since early life. The lack of a developed internal inhibitory control within the personality is revealed in the child by his persistent enuresis and in the juvenile and adult psychopath by his criminal gratification.

J. C. S.

PENOLOGY

JOHN GITTINS: 'Presidential Address'. *Approved Schools Gazette*, 1954, **48**, 73-80.

In the Presidential Address to the Association of Headmasters of Approved Schools, Mr. Gittins emphasizes that juvenile delinquency is no more than a convenient classificatory term. He pleads urgently for an overall national policy on treatment and a working party to discuss more effective means of co-operation. In a number of cases Approved Schools fail because they receive the child at too late a stage. Progress in the schools will take place by steadily moving away from the penal attitude.

J. C. S.

DANISH GOVERNMENT YOUTH COMMISSION: 'Summary of Report on Maladjusted Youth', January 1953.

The report is devoted to those groups of young people who experience difficulties in adjusting themselves to community life and who are either faced with special problems or present exceptional difficulties. Reference is made to an inquiry by Dr. Helge Kjems into 200 children removed from their homes by the Child Welfare Committee. Early ascertainment is emphasized. Parent counselling and group discussion is advocated. Cases of removal are discussed intensely especially where parents oppose the placement of the child outside the home. Recommendations for improved psychological and psychiatric advisory services are made.

J. C. S.

JOHN A. MACK: 'The Approved School and the Home'. *Approved Schools Gazette*, July 1954, **48**, 125-26.

While the Approved School is essentially a place for the re-education and training of children whose homes are unsatisfactory, and in Scotland a clear official statement of this fact was made in 1947, many Juvenile Courts conceive of the school as the final and most severe stage in a series of alternative punishments.

Though the school achieves a large measure of success, its work is often undone when the child returns home. In the past staffs have been impatient or even hostile towards the parents. These attitudes are gradually changing, due partly to the fact that the link with home, however bad it is, is recognized as being the strongest influence on the child's character. Most absconders are not *running away* but trying to get home. Research has also demonstrated the home to be of crucial importance in the formation of personality. The school cannot be a substitute for the parent-child relationship.

Relationships with the home could be further developed—particularly by mem-

bers of the staff who enjoy the child's confidence—in addition to the present system of home visiting. The real problem is parental inadequacy of which delinquency is the symptom. Just as the child is helped to improvement by the prospect of returning home, so improvement in the home can be encouraged by the same prospect. But improving the home is no task for the school alone, and requires the co-operative effort of all the social agencies in the neighbourhood.

T. P. M. M.

DUTCH UNION OF CHILD WELFARE : 'How should Children's Homes be Planned?' *International Child Welfare Review*, 1954, **8**, 15–23.

A building committee was set up by the Dutch Union to study the basic conditions for each type of residential institution in conjunction with the Building Centre at Rotterdam. The institutions studied included the following: observation centres, probation hostels, classifying centres, and reception centres.

J. C. S.

S. H. TAYLOR : 'A Surplus of Approved Schools'. *Approved Schools Gazette*, July 1954, **48**, 131–34.

There is a surplus of Approved School places because many children, not specifically delinquent, who formerly occupied places are dealt with elsewhere. Redundancy among staff is a threat to good teamwork in the school. The demand for places fluctuates and with it the demand for staff. The service could be improved either by the use of a central employing agency, or by placing schools under the full control of Local Education Authorities.

T. P. M. M.

PSYCHIATRY

S. R. SLAVSON : 'Contribution to a Systematic Theory of Group Psychotherapy'. *The International Journal for Group Psychotherapy*, Vol. IV, January 1954, No. 1.

Slavson has attempted to work out a systematic theory of group psychotherapy. He makes the basic assumption that there are only minor differences in the therapeutic processes which occur in group and individual methods of treatment and lists the dynamic factors involved in five headings: (1) transference (2) catharsis (3) insight (4) reality testing and (5) sublimation. Under each of these headings he discusses the mechanisms involved in both individual and group therapy. He attempts a further breakdown of the five major dynamic factors listed. Thus, in discussing catharsis, which can be either verbal or non-verbal as in play therapy, he suggests that catharsis can occur as (1) free association (2) associated thinking (3) directed (4) induced (5) forced and (6) vicarious. He points out that directed catharsis, where a therapist or another group member questions the patient in an attempt to uncover specific facts or memories, is likely to occur in groups with great frequency. In fact it may at times be necessary to rescue a patient from this type of questioning if it becomes too disturbing for him. It is not likely to occur in individual psychotherapy although it is sometimes employed. Of induced catharsis he feels that this has a particular place in group treatment as the presence of other patients can often induce participation and overcome resistances which might present considerable difficulty in individual psychotherapy.

Slavson makes a sharp distinction between acting out in children and adults. In the former he feels that the most effective medium of expression for the child is in action, thence his own interest in activity group therapy. In adult individual and group therapy, however, he sees it as a frequent manifestation of resistance and deleterious to psychotherapy.

M. J.

SOCIETY OF BELGIAN PSYCHIATRIC MEDICINE : A short summary of the Society's meetings held between December 1953 and February 1954. *Revue de Droit Penal et de Criminologie*, June 1954, 9, 813-14.

Most of these meetings were devoted to discussion of the subject of 'psycho-surgery', i.e., lobectomy or leucotomy. The majority of the speakers quoted voiced misgivings about the usage of an irreversible operative process which permanently reduces the subject's intellectual and psychic level. One speaker described it as rescuing the victim from a pathological super-ego. Another cited an instance of a would-be murderer who, in consequence of this operation, was now fit and well. The consensus of opinions quoted was in favour of skilled psycho-therapy, rather than 'psycho-surgery'.

A. B.

EDUCATION

ASSOCIATION OF HEADMASTERS, HEADMISTRESSES AND MATRONS OF APPROVED SCHOOLS. TECHNICAL SUB-COMMITTEE: Monograph No. 5, 'Sub-normal Children in Approved Schools', February 1954.

The Committee examined the records of 1,600 consecutive cases sent to boys' classifying schools and the results of a questionnaire on sub-normal children circulated to the Heads of Approved Schools. They made three main recommendations: (1) that certain schools should specialize in dealing with sub-normal children, (2) that where the prospects of licence of such children are poor, the child should be officially registered with the Home Office, and (3) that those schools which specialize in dealing with sub-normal children should have the opportunity of very close supervision indeed of the children when they are licensed. J. C. S.

ASSOCIATION OF HEADMASTERS, HEADMISTRESSES AND MATRONS OF APPROVED SCHOOLS. TECHNICAL SUB-COMMITTEE: Monograph No. 6, 'Girls in Approved Schools', March 1954.

The Committee summarize the situation by saying that, whereas boys' schools run pretty smoothly, but the Heads are dissatisfied with the results they are achieving, the girls' schools achieve quite good results but the actual running of the schools presents greater difficulties. Their recommendations include the following: (1) the setting-up of a committee containing experts in psychology, in moral welfare, in education, and in social science, (2) a fully fledged training scheme, (3) more information about suitable employment, (4) special staffing and equipment for particularly difficult girls, and (5) a Deputy Headmistress free of departmental duties.

J. C. S.

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- CHARLES E. SMITH : 'The Homosexual Federal Offender', *Journal of Criminal Law, Criminology and Police Science*, (1954), **44**, 582-91.

CORRESPONDENCE

To the Editorial Board,

Sirs,

In the April issue of the *Brit. J. Delinq.*, your editorial makes a very pertinent point about the tendency of the sociologist to concentrate on causal factors that are 'common to the general population', and to estimate the significance of 'remedial measures' in terms of 'normal' rather than of 'abnormal' psychology.

This is true not only of the sociologist but, equally and more dangerously, of the many workers in the field of applied sociology—the social case workers, the P.S.Ws. and the many others whose work brings them into intimate contact with the delinquent or otherwise abnormal person.

At a recent public meeting of the Howard League, this tendency to disparage or to try to minimize the value and importance of the approach from the standpoint of a psychoanalytically informed training was most apparent; much support was given to such opinions as 'too many social workers have taken a nose dive into the subconscious', 'too many social workers are more keen in indulging in the delights of a little amateur psychoanalysis than in getting a picture of the reality of the situation which they have to work with'.

There was reluctant agreement that the social worker must be a 'warm accepting person' but no appreciation, it seemed, that however warm and understanding the social worker might be, he or she can do little more than act as a human filing system or a recipient of facile grumbles and cups of tea unless he or she has, at least, some clues of the 'abnormal' factors which govern human psychology and which—in flat defiance of social and economic factors, so easy to log and chart—govern and are responsible for the malaise of the maladjusted. The mentally normal nearly always manage to cope with their social and economic difficulties without slithering into the pit for the anti-social; those who become anti-social are almost always suffering, mildly or severely, from some mental unbalance which, social work or no social work, will show itself sooner or later. In any event the social worker ought to be ready to recognize the signs of mental abnormality amid such superficial difficulties which mask it.

It is perhaps true that there is too much pseudo-psychoanalysis. There is nothing like enough genuine and thorough psychoanalytic training, and the need is not to shun the teaching and technique which made the first moves to remove social work from the organizing of the Lady Bountiful type into the field of a skilled profession but to welcome and to extend it.

I do hope that this journal may be able to find the room in the near future to give in outline the approach of the I.S.T.D. and allied bodies to the training of social workers, to combat the growing tendency to stress the superficialities of human conduct and the ever-increasing concern with abstractions of the 'culture pattern' type, whose place is not in the field of helping the sick, the troubled and the anti-social, but in the University seminar.

Yours etc.,

LEONARD BLOOM.

Mr. Hugh Klare, Secretary of the Howard League, writes: I should be sorry if Mr. Bloom's letter left your readers with the impression that the Howard League did not recognize the importance of dynamic psychology in the training of social workers. Indeed, it was precisely because it was felt that the present training of social workers was not altogether satisfactory in this and other respects, that the public meeting, to which Mr. Bloom refers, was held. Furthermore, an article on professional social work in the current issue of the *Howard Journal* refers particularly to the training methods used by the Tavistock Clinic, in connexion with the acquisition of case-work skills.

At the same time, I am sure Mr. Bloom does not mean to suggest that the teaching of sociology and criminology are not of value in the academic training of social workers. Childhood training reflects, and is reflected in, cultural patterns, and delinquency cannot be understood in terms of a single discipline, however fundamental it may be.

To the Editorial Board.

Sirs,

May I, as a sociologist, and therefore as one with no personal axe to grind in the psychological field, be allowed to comment upon Mr. Marcus' article in the *Brit. J. Delinq.*, April 1954, 283, 'The Status of the Psychological Factor in Criminal Research'.

Firstly, one may be justly critical of Stott's work, indeed its very presentation lays it open to many objections, without going to the extremes as Mr. Marcus does. It is quite true that Stott's views about reification may be themselves exaggerated and perhaps naïve, nevertheless they seem to me to be fundamentally healthy views. The social sciences are becoming obsessed with the idea of quantification and classification, whether in relation to individuals or social processes, without being fully aware that these are only *approximate* generalizations or descriptions of empirical situations, whose validity and usefulness vary with the particular problem in hand. To take the instance of the term 'psychopath', never was a term used with such abandon, and perhaps never was a concept so ill-defined and valueless for practical purposes. Yet it is Stott who has raised a protest against this very type of classification in preferring to talk of types of 'emotional response' rather than types of delinquent.¹

Secondly, I would disagree with the writer when he seems to suggest that Stott's view, of 'conceptualization . . . at best a necessary evil' is irreconcilable with his own, namely that it is 'a *sine qua non* of further advancement'. Surely the point is that the 'concept' is necessary, indeed imperative to any analysis, but like any tool, there are limits in its use, and dangers in its misuse. This should be apparent if one considers the use of the concept of 'psychopath'.

Finally I was surprised, almost amazed to learn (p. 287) that 'the aim of science is quantification'. The *reductio ad absurdum* of this statement is that we should stop thinking about problems of causation and content ourselves with bigger and better volumes of criminal and psychological statistics. Edward Shils'

¹ Stott. 'Delinquency and Human Nature'. Dunfermline. 1950.

very pertinent remarks are worthy of consideration: 'Observations must be translated into quantitative values, since it is only on this basis that relationships of degree can be established . . . But techniques of observation . . . and measurement, however excellent must serve some end other than their own exercise.'² The aim of social science must be the explanation of complex causal relationships which produce observable end products. Once we have a glimmering of the nature of causation we can look forward with optimism to the era of effective *prevention* in the criminological field, and with more confidence in devising therapeutic techniques. Quantification is a means to an end, never an end in itself, save that end which is an intellectual desert by virtue of the poverty of its contribution to the solution of practical problems.

Yours, etc.,

T. P. M. MORRIS.

Mr. Marcus writes: In my article I was concerned to defend a certain type of concept—*i.e.*, the kind of concept, widely used in psychoanalysis and academic psychology, which sums up complicated processes and tendencies in a single word, thereby allowing us to make hypotheses which go beyond the purely observable. The alternative to this is a pure observationalism—which is precisely the charge which I levelled against Stott. Since this kind of approach in psychology died out some two or three decades ago, it is hard to agree that Stott's views are 'fundamentally healthy'. Regression, or perhaps rather fixation, is no more healthy in science than in other activities!

I agree with Mr. Morris that there are dangers in the misuse of concepts—reification is of course one such danger, but I would refer Mr. Morris back to my article, where I briefly discussed the precautions which should be observed in using the kind of concept I was defending.

Finally, Mr. Morris's reactions to my remarks about quantification seem to be emotive rather than scientific. (Incidentally, objections could be raised against his use of the term 'causation', but this is not immediately relevant). How can Mr. Morris hope to discover any intelligibility in the social sciences, unless we can give some numerical expression to the relationships we are all so anxious to discover? And how can we discuss methods of prevention unless we have some means of *measuring* the efficacy of our remedial techniques?

CONTRIBUTORS TO THIS NUMBER

DENNIS OGDEN, M.R.C.S., L.R.C.P., joined the Prison Medical Service in 1947, and is now Medical Officer at H.M. Borstal Institution, Portland. Previously he held two staff appointments at the British Postgraduate Medical School, Hammersmith Hospital.

SIR LIONEL FOX, C.B., M.C. Chairman of the Prison Commission for England and Wales; author of 'The Modern English Prison', 1934, and 'The English Prison and Borstal Systems', 1952.

MANUEL LOPEZ-REY, LL.D. Chief of the Section of Social Defence, United Nations Secretariat; former Professor of Penal Law and Criminology; author of 'Handbook of Criminal Law', 1933; 'Les infractions pénales; leur repression; leur réparation', 1934; 'Endocrinologia and Crime', 1940; 'Introduction to the Study of Criminology', 1945; 'What is Crime?', 1947; 'Gambling in Latin American Countries', 1950.

² Shils. 'The Present State of American Sociology'. Glencoe, Illinois. 1948.

JOHN SPENCER

Crime and the Services

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